

The CLERGY REVIEW

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1850 — 1950

To

HIS EMINENCE

BERNARD CARDINAL GRIFFIN

and to

THEIR LORDSHIPS

THE BISHOPS IN ORDINARY
OF ENGLAND AND WALES

THE CLERGY REVIEW

*offers devoted homage and respectful
congratulations on the occasion of the
Hundredth Anniversary of the Restoration
of the Hierarchy*

A MESSAGE FROM HIS EMINENCE

IT is perhaps a sign of the times in which we live and of the great progress achieved in the last one hundred years that today we may read Cardinal Wiseman's celebrated pastoral letter, given out of the Flaminian Gate of Rome, and wonder just why it provoked such ill-feeling throughout this country at the time of its publication. True it was the territorial aspect of the new dioceses—the so-called Papal Aggression—which was the root of the disturbance, but it was the Flaminian Gate letter and its tone which set the spark to the tinder. It is probable that the restoration of rule by Hierarchy drew the attention of members of the Established Church to a growth in the Catholic body of which they were hitherto unaware. No doubt great capital was made by politicians of the territorial designations. Yet when we read the pastoral in which Wiseman informs his people that "the great work is complete; what you have long desired and prayed for is granted", it is quite clear that he is speaking primarily to his Catholic flock and of spiritual dominion only. The Cardinal was triumphant, and when we hear him proclaiming that "Catholic England has been restored to its orbit in the ecclesiastical firmament" we may feel that this reference was perhaps a little premature. But for the rest it is doubtful whether such ringing phrases would achieve more than passing reference if the pastoral were to be issued to the nation's Press for the first time today.

Cardinal Wiseman's "Appeal to Reason" issued the following November did much to remove the wrong impression wrested from his unhappy pastoral, yet it was his subsequent great work and the efforts of his flock to play their part in every sphere of activity that dealt a death-blow to this malicious antagonism. Indeed succeeding generations of Catholics have shown themselves such good citizens that today the Catholic contribution to the life of the nation is widely recognized. That recognition of the Catholic position which Wiseman assumed we now take for granted: it is a tribute to the efforts of our Catholic forefathers and their great leaders.

Without these leaders nothing could have been achieved, and we can but marvel at the glorious line of great priests who under Divine Providence have been raised up to guide the destinies of the Church in England and Wales. Thanks to their wise leadership and to the selfless efforts of their clergy, the past hundred years has seen such development that we may well find it hard to understand the almost exuberant enthusiasm and feeling of strength in 1850. But then it was not many years since Emancipation and less than a century since the Gordon Riots. The past century has seen our Catholic population trebled, we have five times as many churches and ten times as many schools. With all this material progress we must not lose sight of the marvellous growth in the sacramental life of our people. Blessed with vocations, the eight hundred pioneer priests of 1850 have grown to a body six thousand six hundred strong, and it is to these latter that under God the future is entrusted.

In his pastoral letter Cardinal Wiseman spoke of the joy with which the glad tidings of 1850 would be received, and we can well imagine the pride of the Catholic community in this official recognition by the Holy See. It drew strength from the restored Hierarchy and went forward to efforts the fruits of which we now enjoy. We thank God for the blessings showered down upon the Church in our land during these hundred years. Drawing strength from the Hierarchy Centenary Congress, we will go forward with new heart and all confidence in our heavenly Father to the furtherance of the work now entrusted to our care.

✠ BERNARD CARDINAL GRIFFIN,
Archbishop of Westminster

EPISCOPAL SUCCESSION IN THE HIERARCHY OF ENGLAND AND WALES

B. William Bishop⁴
1623

Card. Spada

B. Leyburn²
1685

A-b, e' Adda

B. Giffard¹
1688

B. Ellis⁴
1688

B. B. Petro
1721

B. Chaloner
1741

B. Jas. Talbot
1749

B. Matt. Gibson¹³
1780

Card. Barberigo

Card. di Bissi

B. Witham
1703

B. Stonor⁴
1716

B. Homyard

B. de Smad

B. von Bayern

Pope Benedict XIII

B. Pritchard
1715

B. Williams
1725

B. Dicconson
1746

B. York²
1741

B. Francis Petre⁸
1751

B. Thomas Talbot¹⁰
1766 (f)

B. Walton¹⁰
1770

B. Berington¹¹
1786

Card. Lami

B. Walmesley
1756

B. Sharrock
1780

B. Wm. Gibson
1790

B. Douglass
1790

B. Poynter
1803

B. Milner
1803

B. Stapleton
1801

B. Walsh¹⁴
1825

B. Collingridge
1807

B. Branstons
1823

B. Griffiths
1833

B. T. J. Brown
1840

B. Briggs¹³
1833

B. Ullathorne
1846

B. Riddell
1844

B. W. Riddell
1844

B. F. G. Mostyn
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B. Geo. Brown
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Card. Fransoni

B. Grant
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B. Bagges
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B. Burgess
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B. Turner
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B. Erington
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B. Jas. Brown
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B. Ross
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B. Roskell
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B. Vaughan
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B. Cornthwaite
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B. Burton
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Card. Porocchi

B. O'Callaghan
1889

B. Chadwick 1866
B. Denell 1871
Card. Vaughan 1872
B. Hedley 1873
B. O'Reilly 1873
B. Lacy 1879
B. Knight 1879
B. Bewick 1882
B. Vertue 1882
B. John Butt 1885
B. J. R. Bilsborrow 1911
B. Shine 1921

E. J. Bilsborrow
1892

B. Carroll
1893

E. Brownlow
1894

A-b. Whiteside
1894

Card. Bourne
1896

A-b. Mostyn
1895

B. Cowgill
1905

B. F. Vaughan
1926

A-b. McGrath
1935

B. Cahill
1900

B. Casarelli
1903

A-b. E. Amigo
1904

B. Collins
1905

A-b. Keating
1908

B. Singleton
1908

B. Kelly
1911

B. Dunn¹⁸
1916

B. Ward
1917

B. Doubleday
1920

B. Cary-Elwes
1921

A-b. Downey
1928

A-b. Williams
1929

B. McNulty
1932

B. Colter
1905

E. Thorman
1925

B. Pearson
1925

E. Henshaw
1925

B. Barrett
1927

E. Fokkitt
1936

B. McCormack
1937

B. Marshall
1939

E. Lee
1932

B. Moriarty
1932

B. Youens
1933

Card. Griffin
1938

Card. Rossi

A-b. Godfrey^{*}

B. Flynn
1939

B. Parker
1941

B. Hanson
1941

B. Ellis
1944

E. Petit
1947

B. Murphy
1948

E. Grimshaw
1947

B. Rudderham
1949

A-b. Masterson
1947

B. Beck¹⁸
1948

B. Cowderoy
1949

IN 1938 the late Fr Harold Burton sent to the President of St Edmund's College a document indicating the sources from which the English Bishops since the Reformation have received their episcopal orders. It was the work of Canon Edwin Burton. "It seems a pity," wrote Fr Burton, "that so much research should be lost." The centenary of the restoration of the Hierarchy in this country offered a suitable occasion for publishing Canon Burton's work. I have therefore revised it, adding the names that had been omitted and also those of the bishops consecrated during this century in order to make the document complete. It was only subsequently that His Lordship Bishop Myers called my attention to a copy of *The English Bishops*, which includes a "Table of Descent", by C. G. Mortimer and S. C. Barber, published by Burns Oates & Washbourne in 1936.

The Episcopal Succession as indicated above contains the names of the bishops who have held ordinary jurisdiction in England since the Reformation, but not the names of their auxiliaries. The titles are those held eventually though not necessarily at the time of consecration, the date of which is indicated. Where I have been unable to discover the name of a bishop's consecrator I have given only the date of consecration. Italics denote the various points beyond which it has not been expedient to trace the succession. An asterisk denotes a bishop, not a member of the English Hierarchy, who forms a link in the succession.

¹ William Bishop was consecrated in Paris. Dodd, *The Church History of England*, Vol. II, p. 362. Mortimer & Barber attribute the consecration to Cardinal Spada, Nuncio in Paris, but I think this is a guess based on the fact that Bishop's successor, Richard Smith, was consecrated in Paris by Spada in 1625.

² Leyburn was to have been consecrated by the Archbishop of Mechlin, but at the instance of Cardinal Howard, to whom Leyburn had been secretary, the consecration took place in Rome. Maziere Brady, *Annals of the Catholic Hierarchy*, pp. 140-1.

³ There appears to be some doubt whether Giffard was consecrated by Archbishop d'Adda (Nuncio Apostolic in England and himself only consecrated at St James's Chapel on 1 May,

1687) or by Leyburn. *Dictionary of National Biography*, Vol. XXI, p. 291.

⁴ The consecration took place at St James's Chapel.

⁵ Dodd, *op. cit.*, Vol. III, p. 468, says the consecration took place in the chapel at Somerset House, but does not mention the consecrator.

⁶ His faculties for the Midland District were extended to the London District for fear that Bishop Giffard "might be deficient, owing to his great age, or might be compelled to withdraw himself for some time, owing to the molestations he received from the Heretics, molestations from which Bishop Stonor's conspicuous birth and influential connexions gave him exemption". Writing to Propaganda on 13 September, 1716, Dr Stonor says "that as Dr Giffard had not any other Vicar Apostolic who could, in the present contingencies, conveniently consecrate him, he would repair to Paris and get himself consecrated there, with all secrecy, by Cardinal di Bissi [Nuncio Apostolic] and would return immediately to his residence, to supply aid to the said bishop Giffard, an octogenarian, in conformity with the charges laid upon him, and the faculties received in his Briefs". Maziere Brady, *op. cit.*, pp. 206-7.

⁷ "He was consecrated bishop of Nisibi in Mesopotamia, 10 August, 1741, at Douay," says Maziere Brady, without mentioning the name of his consecrator (*op. cit.*, p. 296). It is on the strength of this, I fancy, that Mortimer & Barber attribute his consecration to the Archbishop of Cambrai, in whose diocese Douay was.

⁸ The seventh Douay Diary has the following entry under 30 October, 1751: "Circa hoc tempus Rev. adm D.D. Franciscus Petre de Belasyse Fithlers Londini consecratus est Epus pro partibus Angliae Septentrionalibus." *C.R.S.*, Vol. XXVIII, p. 281. The Bull for the consecration of Bishop Petre is at Ushaw. It gives him leave to be consecrated by any Bishop in communion with Rome, assisted by two priests, but it has not been signed by the consecrator as is now the custom. I am indebted to Fr Smith of Lanchester and to Fr Charles Cronin, secretary to the Bishop of Hexham and Newcastle, for these details. Exhaustive enquiries by them failed to produce any further information. I conclude therefore that Mortimer &

Barber are only guessing in attributing his consecration to his predecessor, Bishop Dicconson.

⁹ Kirk, *Biographies of English Catholics in the Eighteenth Century*, p. 229, says he was consecrated in March 1766, but he did not consent to accept the office of Coadjutor till 10 June, 1766. Research at Oscott and in the archives of the Birmingham Archdiocese, for which I am indebted to Fr Joseph Cleary, the Archbishop's secretary, failed to throw any light on the date of the consecration of Bishop Talbot or the name of his consecrator. Mortimer & Barber presume that it was Bishop Hornyold.

¹⁰ As in the case of Bishop Petre, no evidence is available to show who consecrated Bishop Walton.

¹¹ As in the case of Bishop Talbot, it has been impossible to discover the name of Bishop Berington's consecrator.

¹² "He was consecrated by Bishop James Talbot in London, 3 September, 1780; the venerable Bishop Challoner, then closing his 89th year, assisted on the occasion" (Kirk, *op. cit.*, p. 97). Mortimer & Barber give this information correctly on p. 111, but in the table of descent Bishop Thomas Talbot is credited with having performed the consecration.

¹³ Bishop Smith was consecrated by Bishop Poynter at St Edmund's College (*Laily's Directory*, 1832, p. 59). Mortimer & Barber agree as to the place of consecration but incorrectly give Bishop Matthew Gibson as the consecrator.

¹⁴ Mortimer & Barber give Poynter as the consecrator, but this is incorrect. "Milner was of course the consecrating prelate; he was assisted by Bishops Smith and Penswick. All the other vicars apostolic and their coadjutors were present, eight bishops being thus assembled—a larger number than had ever been together since the Reformation." Ward, *The Eve of Catholic Emancipation*, Vol. III, p. 153. Cf. Burton, *Bishop Milner*, p. 30.

¹⁵ Omitted by Mortimer & Barber in their table of descent.

¹⁶ Included here since he is coadjutor with right of succession.

N. J. KELLY

THE APOSTOLIC LETTER OF
POPE PIUS IXRE-ESTABLISHING THE CATHOLIC HIERARCHY
IN ENGLAND

UNIVERSALIS Ecclesiae regendae potestas Romano Pontifici in sancto Petro Apostolorum Principe a Domino nostro Jesu Christo tradita praeclaram illam in apostolica Sede sollicitudinem quacumque aetate servavit, qua religionis Catholicae bono ubique terrarum consuleret, eiusque incremento studiose provideret. Id autem Divini ipsius Fundatoris consilio respondet, qui capite constituto Ecclesiae incolumitati usque ad consummationem saeculi singulari sapientia prospexit. Pontificiae huius sollicitudinis fructum sensit una cum aliis populis inclytum Angliae Regnum, cuius historiae testantur Christianam Religionem vel a primis Ecclesiae saeculis in Britanniam invectam esse, atque in ea deinde plurimum floruisse; sed medio circiter saeculo quinto, posteaque Angli et Saxones in eam Insulam advocati sunt, non modo publicas illic res, sed etiam religionem maximis fuisse detrimentis affectam. Constat vero simul sanctissimum Praedecessorem Nostrum Gregorium Magnum missis primum cum sociis Augustino monacho, atque eo postmodum aliisque pluribus ad Episcopalem dignitatem evectis, additaque iis magna Presbyterorum Monachorum copia, Anglo-Saxones adduxisse, ut Christianam religionem amplecterentur, et virtute sua effecisse, ut in Britannia, quae Anglia etiam appellari coepit, Catholica iterum restituta undique fuerit et amplificata Religio. Sed ut quae sunt recentiora commemoremus, nihil in tota Anglicani schismatis, quod saeculo decimo sexto excitatum est, historia manifestius arbitramur, quam Romanorum Pontificum Praedecessorum Nostrorum impensam curam, et nunquam intermissam, ut Religioni Catholicae in eo Regno in maximum periculum et ad extremum discrimen adductae succurrerent, et quacumque possent ratione auxilium afferrent. Quo inter alia spectant ea quae a Summis Pontificibus vel ipsis mandantibus atque probantibus provisa gestaque sunt, ut in Anglia haudquaquam deessent qui Catholicarum illic

rerum curam susciperent, itemque Adolescentes Catholici bonae indolis, ex Anglia in continentem venientes, educarentur atque ad scientias praesertim Ecclesiasticas diligenter informarentur; qui Sacris subinde Ordinibus insigniti et in patriam reversi sedulam navarent operam popularibus suis Verbi et Sacramentorum ministerio juvandis, et verae fidei ibidem tuendae ac propagandae.

Verum ea sunt fortasse clariora, quae Praedecessorum Nostorum studium respiciunt ut Angli Catholici, quos tam atrox et saeva tempestas Episcoporum praesentia et pastoralis cura privaverat, Praesules iterum haberent Episcopali characterе insignitos. Iam vero Gregorii XV Litterae Apostolicae incipientes "Ecclesia Romana", datae die XXIII Martii, an. MDCXXIII ostendunt Summum Pontificem, ubi primum potuit, Gulielmum Bishopum consecratum Episcopum Chalcedonensem cum satis ampla facultatum copia, et cum Ordinariorum propria potestate ad Angliae et Scotiae Catholicos gubernandos destinasse; quod postea Urbanus VIII, Bishopio mortuo, missis ad Richardum Smith similis exempli Litteris Apostolicis die IV Februarii, an. MDCXXV renovavit, Episcopatu Chalcedonensi, et iisdem, quae Bishopio concessae fuerant, facultatibus Smithio tributis. Visa sunt in posterum, quum Jacobus II in Anglia regnare coepisset, Catholicae Religioni feliciora tempora obventura esse. Hac vero opportunitate Innocentius XI statim usus, Joannem Leyburnium Episcopum A drumetenum totius Angliae Regni Vicarium Apostolicum anno MDCLXXXV deputavit. Quo facto aliis Litteris Apostolicis die XXX Januarii, an. MDCLXXXVIII editis, quarum initium est "Super Cathedram" Leyburnio tres alios Episcopos Ecclesiarum in partibus infidelium titulis insignitos Vicarios Apostolicos adjunxit; quapropter Angliam universam, operam dante Apostolico in Anglia nuntio Ferdinando Archiepiscopo Amasiensi, in quattuor districtus Pontifex ille partitus est, Londiniensem scilicet, Occidentalem, Medium, et Septentrionalem, quibus omnibus Vicarii Apostolici cum opportunis facultatibus et cum Ordinarii locorum propria potestate praeesse coeperunt. Eis autem auctoritate sua sapientissimisque responsis tum Benedictus XIV, edita die XXX Maii, MDCCLIII Constitutione, quae incipit "Apostolicum Ministerium", tum alii Pontifices

Praedecessores Nostri ac Nostra Propagandae Fidei Congregatio ad tam grave munus rite recteque gerendum normae et adjumento fuerunt. Haec vero totius Angliae in quattuor Vicariatus apostolicos partitio usque ad Gregorii XVI tempora perduravit, qui Litteris Apostolicis die III Julii, an. MDCCCXL datis incipientibus "Muneris Apostolici", habita praesertim ratione incrementi quod Religio Catholica in eo Regno iam acceperat, novaque facta regionum ecclesiastica partitione, duplo majorem Vicariatuum Apostolicorum numerum excitavit, et Angliam totam Vicariis Apostolicis Londinensi, Occidentali, Orientali, Centrali, Walliensi, Lancastriensi, Eboracensi, et Septentrionali, in spiritualibus gubernandam commisit. Quae cursim hoc loco, aliis pluribus praetermissis, indicavimus, perspicuo documento sunt Praedecessores Nostros in id vehementer incubuisse, ut, quantum auctoritate sua valebant, ad Ecclesiam in Anglia ex permagna calamitate recreandam ac reficiendam adniterentur et laborarent.

Habentes itaque ob oculos praeclarum hujusmodi Decessorum Nostrorum exemplum, illudque pro Supremi Apostolatus officio aemulari volentes, et animi etiam Nostri inclinationi erga dilectam illam Dominicae vineae partem obsecundantes, vel ab ipso Pontificatus Nostri exordio Nobis proposuimus opus tam bene coeptum proseguere, et ad utilitatem in eo Regno quotidie magis augendam Nostra impensiora studia revocare. Quamobrem universum, ut nunc est, in Anglia rei Catholicae statum diligenter considerantes, et permagnum Catholicorum numerum qui passim ibi amplior evadit animo rependentes, atque impedimenta illa in dies auferri Nobiscum cogitantes, quae Catholicae Religionis propagationi valde obfuerunt, tempus advenisse reputavimus, ut regiminis Ecclesiastici forma in Anglia ad eum modum restitui possit, in quo libere est apud alias gentes, in quibus nulla sit peculiaris causa ut extraordinario illo Vicariatum Apostolicorum ministerio regantur. Temporum scilicet ac rerum adjuncta effecisse sentiebamus ut necesse non sit diutius Angliae Catholicos a Vicariis Apostolicis gubernari, immo verum talem inibi rerum conversionem factam esse, ut Ordinarii Episcopalis regiminis formam flagitaret. Accessit his, Angliae Vicarios Apostolicos ipsos id interea a Nobis communi suffragio petiisse, permultos tam clericos, quam laicos virtute ac genere

spectatos viros hoc idem a Nobis precatos esse, aliosque Angliae Catholicos longe plurimos id in votis habere. Haec animo volentes non omisimus Dei Optimi Maximi auxilium implorare, ut in rei tam gravis deliberatione id quod ad Ecclesiae bonum augendum expeditius futurum esset, Nos intelligere et recte implere possemus. Beatissimae praeterea Mariae Virginis Dei-parae et Sanctorum qui Angliam virtute sua illustrarunt, opem invocavimus, ut ad negotium istud feliciter absolvendum suo apud Deum patrocínio Nobis adesse dignarentur. Tum vero rem universam Venerabilibus Fratribus Nostris Sanctae Romanae Ecclesiae Cardinalibus Nostrae Congregationis Propagandae Fidei sedulo graviterque perpendendam commisimus. Eorum autem sententia fuit desiderio illi Nostro prorsus consentanea, quam libenter probandam et ad effectum perducendam judicavimus. Itaque post rem universam a Nobis etiam accurata consideratione perpensam, motu proprio, certa scientia, ac de plenitudine Apostolicae Nostrae potestatis constituimus atque decernimus, ut in Regno Angliae refloreat juxta communes Ecclesiae regulas Hierarchia Ordinariorum Episcoporum, qui a Sedibus nuncupabuntur quae hisce ipsis Nostris Litteris in singulis Apostolicorum Vicariatuum Districtibus constituimus.

Atque ut a Districtu Londiniensi initium faciamus, duae in eo Sedes erunt, Westmonasteriensis scilicet, quam ad Metropolitanæ seu Archiepiscopalis dignitatis gradum evehimus, et Suthwarcensis, quam uti et reliquas mox indicandas, eidem suffraganeas assignamus. Et Westmonasteriensis quidem dioecesis eam habebit memorati Districtus partem, quae ad Septentrionem protenditur fluminis Tamesis, et Comitatus Middlesexiensem, Essexiensem atque Hertfordiensem complectetur; Suthwarcensis vero partem reliquam ad meridiem fluminis, videlicet Comitatus Bercheriensem, Suth-Hantoniensem, Surriensem, Sussexiensem, et Kantiensem, una cum Insulis Vecta, Ierseia, Gerneseia, aliisque prope illas sitis. In Districtu Septentrionali unica erit Sedes Episcopalis, ab Urbe Hagulstatiensi nuncupanda, cujus dioecesis iisdem quibus Districtus ille finibus continebitur. Eboracensis etiam Districtus uncam efficiet Dioecesisin, cujus Episcopus in Urbe Beverlaco Sedem habebit. In Districtu Lancastriensi duo erunt Episcopi, quorum alter, a Liverpolitana Sede appellandus, pro Dioecesi habebit, cum

Insula Mona, Centurias Lonsdale, Amounderness, et West Derby; alter vero Sedem habiturus a Salfordensi urbe nuncupandam, pro Dioecesi habebit Centurias Salford, Blackburn, et Leyland. Quod vero attinet ad Cestriensem Comitatum, etsi ad Districtum ipsum pertineat, eum nunc alii Dioecesi adjungimus. In Districtu Walliensi erunt binae Sedes Episcopales, Salopiensis scilicet, ac Meneviensis et Newportiensis invicem unitae: Salopiensis quidem Dioecesis ad Septentrionalem Districtus partem complectetur Comitatus qui dicuntur Angleseia, Carnarvonensis, Denbighensis, Flintensis, Merviniensis, et Montgomeriensis, quibus adjungimus Cestrensem, Comitatum ex Districtu Lancastriensi, et ex Centrali Districtu Comitatum Salopiensem; Episcopo autem Meneviensi et Newportensi pro Dioecesi assignamus ad Meridionalem Districtus partem Comitatus Brechiniensem, Maridunensem, Cereticensem, Glamorganiensem, Pembrochiensem, et Radnoriensem, necnon anglos Comitatus Monmuthensem et Herefordensem. In Districtu Occidentali duas constituimus Episcopales Sedes Cliftoniensem et Plymuthiensem, quarum illi pro Dioecesi assignamus Comitatus Glocesteriensem, Somersettensem et Wiltoniensem; huic vero Comitatus Devoniensem, Dorcestriensem, et Cornubiensem. Centralis Districtus, a quo Salopianum Comitatum iam sejuximus, duas habebit Episcopales Sedes, Nottinghamiensem et Birminghamiensem; quarum primae pro Dioecesi assignamus Comitatus Nottinghamiensem, Derbiensem, Leicestriensem, necnon Comitatus Licolniensem, et Rutlandiensem, quos a Districtu Orientali separamus; alteri vero, Staffordiensem, Warwicensem, Wigorniensem, et Oxoniensem. Tandem in Districtu Orientali unica erit Episcopalis Sedes, quae a Northantoniensi Urbe nuncupabitur, habebitque pro Dioecesi Districtum iisdem quibus in praesens limitibus definitum, exceptis tamen Comitatibus Rutlandiensi et Lincolniensi quos supradictae Nottinghamiensi Dioecesi jam assignavimus.

Ita igitur in florentissimo Angliae Regno unica erit Provincia Ecclesiastica ex uno Archiepiscopo seu Metropolitano Antistite, et duodecim Episcopis suffraganeis constituta; quorum studiis et pastoralibus curis Catholicam illic rem Deo dante uberibus in dies auctibus amplificandam confidimus. Quare Nobis et Pontificibus Successoribus Nostris jam nunc reservatum volu-

mus, ut Provinciam ipsam in plures dispertiamus, et augeamus prout res tulerit Dioecesium numerum; ac generatim, ut quemadmodum opportunum in Domino visum fuerit, novas illarum circumscriptiones libere decernamus.

Interea Archiepiscopo et Episcopis supradictis mandamus, ut relationes de suarum Ecclesiarum statu ad Nostram Congregationem Propagandae Fidei debitis temporibus transmittant, nec desistant eandam instructam reddere de iis omnibus quae spirituali suarum ovium bono noverint profutura. Nos enim in rebus ad Anglicanas Ecclesias pertinentibus ministerio ejusdem Congregationis uti peragemus. Verum in sacro Cleri Populique regimine, atque in ceteris quae ad pastorale officium pertinent, Archiepiscopus et Episcopi Angliae iam tunc omnibus fruentur juribus et facultatibus, quibus alii aliarum gentium Catholici Archiepiscopi et Episcopi ex communi Sacrorum Canonum et Apostolicarum Constitutionum ordinatione utuntur et uti possunt, atque obstringentur pariter iis obligationibus quae alios Archiepiscopos et Episcopos ex eadem communi Catholicae Ecclesiae disciplina obstringunt. Quaecumque autem sive in antiqua Ecclesiarum Angliae ratione, sive in subsequenti missionum statu ex specialibus Constitutionibus, aut privilegiis, vel consuetudinibus peculiaribus viguerint, mutata nunc temporum causa, nullum posthac sive jus sive obligationem inducent: quae de re ut nulla remanere dubitatio valeat, Nos iisdem illis peculiaribus Constitutionibus, ac privilegiis cujusque generis, et consuetudinibus etiam vetustissimo et immemorabili tempore inductis omnem prorsus obligandi aut juris afferendi vim ex plenitudine Apostolicae Nostrae Auctoritatis tollimus et abrogamus. Hinc Archiepiscopo et Episcopis Angliae integrum erit ea porro decernere, quae ad communis juris executionem pertinent, quaeve ex generali ipsa Ecclesiae disciplina Episcoporum auctoritati permissa sunt. Nos autem certe non omitemus adesse illis Apostolica Auctoritate Nostra, et perlibenti etiam animo obsecundabimus eorundem postulationibus in iis quae ad majorem Divini Nominis gloriam animarumque salutem conducere visa fuerint. Enimvero Nos in restitutione Ordinariae Episcoporum Hierarchiae, et Communis Ecclesiae Juris observatione Nostris hisce Litteris decernenda eo quidem praecipue spectavimus, ut Catholicae Religionis per Angliae Regnum

prosperitati et incremento prospiceremus; sed una simul propositum Nobis fuit votis annuere tum Venerabilium Fratrum eo in Regno sacras res Vicaria Apostolicae Sedis auctoritate moderantium, tum plurimorum Dilectorum Filiorum ex Catholico Clero ac Populo, a quibus impensissimas in eum finem preces acceperamus. Hoc ipsum non semel postulaverant illorum majores a Praedecessoribus Nostreis, qui sane Vicarios Apostolicos tum demum in Anglia deputare orsi fuerant cum nulli ibidem manere poterant Catholici Antistites propriam in Regno ipsam Ecclesiam Ordinario jure obtinentes, atque hinc illorum consilium in Vicariorum numero et Vicarialibus ipsis Dictricibus deinceps iterum atque iterum multiplicandis, non eo certe spectabat ut Catholicam rem in Angliae Regno extraordinaria jugiter ratione moderarentur, sed potius ut ejus incremento prout tempora ferebant prospicientes viam una simul pararent Ordinariae illic Hierarchiae tandem aliquando instaurandae.

Itaque Nos, quibus tantum opus perficere summo Dei beneficio datum est, hoc ipso in loco declaratum volumus, longe prorsus abesse a mente consiliisque Nostreis, ut Antistites Angliae Ordinariorum Episcoporum nomine ac juribus insigniti, quacumque alia in re commodis destituantur, quibus antehac una cum Apostolicorum Vicariorum titulo fruebantur. Nec enim ratio sinit, ut in illorum detrimentum cedant quae a Nobis ex Catholicorum Anglorum voto in bonum Sacrae apud ipsos rei decreta sunt. Juxta haec firmissima immo spe nitimur fore ut iidem Dilecti Nostri in Christo Filii qui in Regno Angliae Catholicam rem, et Antistites Vicaria illam auctoritate moderantes in tanta varietate temporum eleemosynis ac largitionibus suis juvare numquam destiterant, majori porro liberalitate usuri sint erga Episcopos ipsos Anglicanis Ecclesiis stabiliori nunc vinculo alligatos, quo scilicet iisdem minime desint temporalia subsidia in Templorum et Divini cultus splendorem, in Cleri pauperumque sustentationem, atque in alios usus Ecclesiasticos eroganda.

Ad extremum, levantes oculos Nostros in montes, unde venit auxilium Nobis a Deo Optimo Maximo in omni oratione, et obsecratione, cum gratiarum actione, supplices poscimus, ut quae a Nobis pro Ecclesiae bono decreta sunt, Divini auxilii sui

virtute confirmet, iisque, ad quos rerum a Nobis decretarum exequutio plurimum pertinet, gratiae suae robur adjiciat, ut pascant, qui in iis est gregem Dei, atque ad majorem Ejus Nominis gloriam propagandam semper impensius incumbant. Atque ad uberiora in idipsum caelestis gratiae praesidia impetranda, deprecatores apud Deum denuo invocamus Sanctissimam Dei Matrem, Beatos Apostolos Petrum et Paulum, cum ceteris caelitibus Angliae Patronis, ac nominatim S. Gregorium Magnum ut, quoniam Nobis etiam meritis adeo imparibus datum nunc est Episcopales Sedes in Anglia renovare, prout ille cum summa Ecclesiae utilitate sua perfecit, haec quoque facta a Nobis in eo Regno Episcopaliurn Dioecesium restitutio Religioni Catholicae benevertat.

Decernentes has Nostras Apostolicas Litteras nullo unquam tempore de subreptionis et obreptionis vitio, vel intentionis Nostrae aut alio quocunque defectu notari, vel impugnari posse, sed semper validas et firmas fore, suosque effectus in omnibus obtinere, atque inviolabiliter observari debere. Non obstantibus Apostolicis, atque in Synodalibus, Provincialibus, et Universalibus Conciliis editis generalibus, vel specialibus Sanctionibus, necnon veterum Angliae Sedium et Missionum, ac Vicariatuum Apostolicorum inibi postea constitutorum, et quarumcumque Ecclesiarum, ac Piorum Locorum juribus, aut privilegiis jramento etiam, confirmatione Apostolica, aut alia quacumque firmitate roboratis, ceteris contrariis quibuscumque. His enim omnibus, tametsi pro illorum derogatione specialis mentio facienda esset, aut alia quantumvis exquisita forma servanda, quatenus supradictis obstant, expresse derogamus. Irritum quoque et inane decernimus si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Volumus autem ut harum Litterarum exemplis etiam impressis, manuque publici Notarii subscriptis, et per constitutum in Ecclesiastica dignitate virum suo sigillo munitis, eadem habeatur fides quae Nostrae voluntatis significationi, ipso hoc Diplomate ostenso, haberetur.

Datum Romae apud S. Petrum sub Annulo Piscatoris die XXIX Septembris MDCCCL. Pontificatus Nostri Anno Quinto.

A. CARD. LAMBRUSCHINI

THE RESTORATION OF THE HIERARCHY

THE North-West Ordinance of 1787 has been described as one of the most important pieces of legislation in the history of the United States. The lands to the west of the Alleghany Mountains had long been the subject of dispute amongst the original thirteen states. The latter were now induced to surrender their claims and to hand over to Congress the right of administering and colonizing this vast area. The suggestion was adopted that there should be three stages in the development of each future state. Congress should first create a "territory" and appoint a governor and three judges, who would administer the area on behalf of the central government. The second stage in development would come when the population of the territory reached five thousand, for then a measure of self-government would be granted. A legislative assembly of two houses would be set up, the inhabitants having the right to elect their own representatives to the Lower House. The final stage was attained when the population reached sixty thousand, for then the territory became a state and was admitted to the Union on terms of equality with the older states. Congress, which during the formative years had maintained a paternal interest in the area, now decided that the former "territory" had reached adult stature and hence was capable of administering its own internal affairs, and so it readily granted the new state the same rights and privileges as the older members of the Union.

The procedure here adopted by Congress bears a remarkable similarity to that adopted by the Church in missionary lands. In both cases each stage of development is dependent on numerical increase and in both cases also a more honourable form of government is granted. Upon the Apostles and their successors Our Lord imposed the twofold task of ministering to the flocks entrusted to their care and of preaching the Gospel to all nations. The bishops of the Early Church performed this double duty, but, as the Church grew, it became apparent that the administration of his diocese kept each bishop fully occupied. His first duty must obviously be to attend to the spiritual needs of the faithful under his charge. The twofold obligation

still remains, but no longer has each bishop an *ex officio* duty to convert the heathen and the heretic. In the present circumstances it is an obligation of charity. The task of spreading the Faith in pagan or heretical lands falls now upon the Holy Father himself, who, in consequence, takes under his jurisdiction all those parts of the world where no episcopal sees have as yet been established or where, as happened in England in the days of persecution, the existence of such sees has for a time been suspended. The Pope exercises his jurisdiction in such cases, not immediately and personally, but by means of various ecclesiastical officials.

Should the pioneering work of the earliest missionaries show promise of fruit and should there be reasonable hope of still greater success, an Apostolic Prefecture with certain well-defined boundaries is set up and placed under the immediate direction of a Prefect Apostolic, who usually is not in episcopal orders. If further development takes place and if the missionary territory is assured of a plentiful supply of priests who can build on the foundations already laid, then the Prefecture becomes a Vicariate, whose immediate ruler is normally a titular bishop. Continued progress leads to the final stage, when the Vicariate ceases to be a missionary area and is given an ecclesiastical hierarchy, which is the normal form of Church government. The former missionary church is thus placed on terms of equality with churches in countries where settled conditions prevail.

Upon the extinction of the ancient hierarchy in Elizabethan days England thus came under the immediate jurisdiction of the Pope, who thought it inexpedient to appoint new bishops at that time, lest such a move might lead to a more severe persecution. The Holy See was prepared to wait until better days should dawn, hoping that the English schism would be short-lived. The clergy of those times indeed felt the need of episcopal guidance, but adverse influences in Rome caused their petitions to be disregarded. However, though it was thought inadvisable to send Bishops to England, the Pope was not unmindful of the need of some form of ecclesiastical government, and hence the office of Archpriest was created. The experiment was not a success and never satisfied the secular clergy, who continued to press for episcopal rulers. At length, in 1623, Pope Gregory XV,

who displayed greater sympathy towards the secular clergy than did his predecessor Paul V, having ascertained that the appointment of one bishop would not meet with too much opposition from the English government, decided to accede to the request of the clergy and placed England under the care of Dr William Bishop, who was consecrated Bishop of Chalcedon. Unfortunately the new bishop died in less than a year, worn out by his labours, and was succeeded by Dr Richard Smith. He too laboured to good effect, but, seven years later, in order to avoid arrest, was forced to take refuge in France, where eventually he died, without ever returning to England, in 1655.

Once more the English mission was left without an ecclesiastical superior, and in consequence the years that followed were years of sorrow and affliction. Attacked from without by a hostile government, the Church was divided within by internal strife, as a result of which many indifferent and worldly minded Catholics fell away from the Faith. The advent of the Catholic monarch, James II, however, caused hope to rise in the breasts of our forefathers. Their oft-repeated request for another bishop was, at long last, granted by the Holy See in 1685, when Dr John Leyburn, Bishop of Adrumetum, was appointed Vicar Apostolic. The bishop spent the next two years in a pastoral visitation that revealed the tremendous amount of work to be done. Hence, at the request of the king, three more Vicars Apostolic were nominated, and, in 1688, four Vicariates were set up, namely the London, Northern, Midland and Western Districts. This fourfold division remained until 1840, when a change was necessitated by the rapid growth of Catholicism, which was one of the most remarkable features of Catholic history in the early nineteenth century.

Persecution had ceased some years earlier, the Relief Acts of 1778 and 1791 having made it possible for Catholics to breathe more freely and to practise their religion openly once again. No longer did the clergy need to fear the denunciations of informers; they could move about without fear and could celebrate Mass in the churches they were now allowed to open. Many disabilities still remained, but not for long, for the Emancipation Act of 1829 granted Catholics almost complete religious and political liberty. Then the Catholics could indeed emerge

from that obscurity which Cardinal Newman so admirably described in his sermon "The Second Spring":

You have seen it on one side, and some of us on another, but one and all of us can bear witness to the fact of the utter contempt into which Catholicism had fallen by the time that we were born. You, alas, know it far better than I can know it; but it may not be out of place if by one or two tokens, as by the strokes of a pencil, I bear witness to you from without, of what you can witness so much more truly from within. No longer the Catholic Church in the country, nay, no longer, I may say, a Catholic community;—but a few adherents of the Old Religion, moving silently and sorrowfully about, as memorials of what had been. "The Roman Catholics"—not a sect, not even an interest, as men conceived it—not a body, however small, of the Great Communion abroad—but a mere handful of individuals, who might be counted, like the pebbles and detritus of the great deluge, and who, forsooth, merely happened to retain a creed which in its day, indeed, was the profession of a Church.

The Cardinal was describing his own youthful impressions of the Catholic body. In the early nineteenth century Catholics were still so few in number that the average non-Catholic rarely came in contact with them. They had not yet lost their persecution complex. For more than two hundred years they had hidden themselves from the public gaze, and the habit was hard to abandon. They had become a "gens lucifuga". In the words of Newman, they were "found in corners, and alleys, and cellars, and the housetops, or in the recesses of the country; cut off from the populous world around them, and dimly seen, as if through a mist or in twilight, as ghosts flitting to and fro, by the high Protestants, the lords of the earth". The Roman Catholics were beneath the notice of the average Protestant, who, as a result, knew little about their beliefs or their religious practices. These days of obscurity were quickly coming to an end. Even before the passing of the Emancipation Act the Catholic population had started to increase rapidly. In 1780 Edmund Burke tried to calm the fears of the inhabitants of Bristol by speaking of the Catholics as "but a handful of people (enough to torment but not enough to fear), perhaps not so many, of both sexes and

all ages, as 50,000", a figure that was confirmed by Fr Joseph Berington in his book *The State and Behaviour of the English Catholics*, which was published in that same year. He puts the total at 56,500. Forty years later, in 1820, the Catholic population of Lancashire alone amounted to 73,500, whilst the area possessed 80 chapels served by 77 priests. The larger part of this increase was almost certainly due to immigration from Ireland, for the Irish had been filtering into England throughout the eighteenth century. The construction of railroads, the building of the Liverpool docks and the expansion and development of the industrial towns attracted many more permanent settlers. From 18,000 in 1820, the Catholic population of Liverpool had risen to 60,000 in 1832, and by 1840 had reached 80,000.

A corresponding growth could be noted all over the country, and in consequence many exaggerated estimates of the strength of Catholicism were made, as for example that which appeared in 1838 in an article on "The Progress of Popery" in *Blackwood's Magazine*. "It must be remembered that the Roman Catholic population of Great Britain is now very little short of two millions." The editor of the *Catholic Magazine* wisely doubted this statement, saying: "We are inclined to think, but are not quite sure, that our number is overrated when reckoned at two millions. . . . We are certain, however, that if our numerical strength be not yet so great, it must become so ere long, as the conversions to our faith, acknowledged by the better informed amongst our opponents, satisfactorily prove." Though cautious, the editor was over-optimistic, for many years were to elapse before the English Catholics reached that total. In 1839 Bishop Briggs of the North, in a report to Rome, estimated the number of Catholics in his District at 180,000. Bishop Griffiths of London claimed no more than 157,000. A census taken by Bishop Baines in the Western District at this same time revealed the existence of 24,500 Catholics in that area. No figures are available for the Midland District, but the population here could hardly have been more than 90,000. Thus, by 1840 the total Catholic population would be in the region of 450,000. The growth over the past sixty years had been striking, but it was not so great as many suspected.

This increase in population led to a problem of particular interest to the clergy. Catholic life in earlier days had been centred on the houses of the gentry, who maintained chaplains to minister to the needs not only of themselves but also of all the Catholics in the neighbourhood. The new Catholic population, resident mainly in the towns, was for the most part outside the sphere of activity of these chaplains and hence it became necessary to open urban missions and to provide priests to serve them. Thus, the clergy were rapidly ceasing to be the chaplains of the aristocracy and were fast assuming the position of parochial clergy, but as yet no arrangements had been made to give them any form of parochial status. The English mission was still governed by the Bull *Apostolicum Ministerium* of Benedict XIV, published in 1753, which assumed that the clergy were still the chaplains of the gentry and were likely to remain so for many years to come. The Bull did not envisage the establishment of quasi-parishes, which are a normal feature of vicariates, since the small Catholic body of those days had adequate facilities for Mass and the Sacraments in the private chapels of the gentry. This situation no longer prevailed, for the number of urban missions was rapidly increasing, most of them needing the attention of several priests. This revealed another defect in the Bull, for it said nothing of the mutual relations of chaplains, when more than one were attached to the same chapel. The position of the clergy in the new missions needed clarifying.

There was another canonical question that was discussed with equal earnestness amongst the clergy. During penal times, when it was essential that there should be no prolonged vacancies in the vicariates, the custom had arisen whereby each Vicar Apostolic chose his own coadjutor, who was given the right of succession. In the days of persecution this was the only practical way of arranging the succession, for any form of election would have been almost impossible. The clergy of the nineteenth century, however, considered that there was no longer any valid reason for continuing this procedure and felt that they themselves should be given some part in the choice of their ecclesiastical superiors. It was generally thought that the solution to all these problems lay in the restoration of the hierarchy. This

event would be accompanied by the erection of Chapters, whose members, *sede vacante*, could present to the Holy Father the names of suitable successors to their late bishop, whilst the position of the ordinary clergy would be improved by the establishment of parishes, whose rectors would enjoy the rights, privileges and stability granted to parish priests by the common law of the Church.

Discussions on the restoration were not, however, limited to the clergy. Widespread interest had been aroused as the result of the publication in the *Catholic Magazine* (Autumn, 1833) of a letter by a writer signing himself "Catholic", who simply could not understand why England should be without a hierarchy. He forestalled the objection that the Government might be opposed to its restoration by pointing out that the Government recognized the existence of the Irish and Canadian hierarchies. One gathers by implication that the ecclesiastical authorities were considered to be at fault in not pressing the matter. This was certainly the attitude adopted by the editor of the same periodical, who wrote a year later, when the topic had been fully aired, "Unfortunately this island once lost its hierarchy, and notwithstanding the universal aspirations of the second order of clergy, it is to be feared that measures are not yet contemplated for its restoration." He then issued a warning to "those whom it may seem to concern more immediately" that the clergy were becoming restless and that the movement in favour of restoration was gathering strength and might soon be beyond the control of the bishops, if they failed to acknowledge its existence.

This attack upon the Vicars Apostolic was unfair, for they were well aware of the movement and were interested in it, but they felt that the first move should come from Rome rather than from themselves. The unrest amongst the clergy had been noted in Rome, as had the increase of the Catholic population, whilst the success of Wiseman's London lectures (1835-36) was taken as an indication that numerous conversions would soon take place. It seemed, then, that England was ready for some change in the form in her ecclesiastical government. In 1837 Wiseman could report to Bishop Griffiths of London that "a livelier interest . . . regarding England" was being displayed

in Rome. On making enquiries, he was informed by Cardinal Mai that a change in the number of vicariates was being contemplated. This was as far as Rome was willing to proceed at the moment, for it was suspected that the institution of a complete hierarchy might be opposed by the British Government. This change was an essential one, for the four Vicars Apostolic certainly needed assistance. The increase in population had raised new problems to which they could not give sufficient attention; they were already overworked. In addition to their ordinary administrative work they had to build new churches, find the money to pay for them and supply them with priests. As the Roman authorities appeared to be in such a compliant mood, it seemed to Wiseman an opportune moment for a full discussion on the English situation. Bishop Walsh of the Midlands had already made known his intention of visiting Rome in the near future. Wiseman urged that Griffiths should accompany him, in order that the two bishops might hear for themselves the proposals of Gregory XVI. In an audience of 12 June, 1837, the Pope declared to the two bishops his readiness to increase the number of the vicariates and ordered them to debate the matter at their next Low Week meeting.

The bishops did so. They agreed that additional bishops were necessary, but, for reasons which they did not reveal, they considered that the moment was inopportune for such a change. It may be that they thought it would be impossible to find suitable men to fill the new vicariates, but it is more likely that they doubted whether adequate financial provision could be made for the new bishops. They also discussed the question of new rules for the English mission to replace those contained in *Apostolicum Ministerium*. The Pope had expressed the wish that they should attempt "to assimilate the ecclesiastical government of the Catholics of England to that of Bishops-in-Ordinary". Hence they framed the *Statuta Provisoria*, intended to be a series of temporary measures, which would form the basis of future canonical legislation when the hierarchy should be restored. Arrangements were made for the appointment of a Vicar General in each district, for the erection of Chapters, for the establishment of deaneries and for the appointment of rectors to missions served by a number of priests. Though they had

deliberated at length, the Vicars Apostolic were in no hurry to inform the Pope of the results of their discussions and only did so when Cardinal Fransoni reminded them that the Pope was interested in their opinions.

This delay created an unfavourable impression in Rome, where the English bishops already had many detractors, among them many new converts and several foreign ecclesiastics who had spent but a short time on the English mission. Neither class fully understood the English situation, nor did they appreciate the problems that faced the bishops, whom they did not hesitate to accuse of indifference and lack of zeal. It was not altogether surprising, then, that the objections of the bishops were overruled and that the immediate creation of four more vicariates was decided upon. The main obstacle to this reform was, as has been suggested, a financial one. Could adequate provision be made for the new bishops? Concerning two of the proposed Districts there was no difficulty, for the Catholics of Lancashire and Yorkshire were numerous enough to give the necessary financial support. This was not true of the small Catholic body in the proposed Welsh District, but the difficulty was overcome by entrusting the area to the Benedictines. There were real doubts, however, about the new Northern and Eastern Districts, and on these the opinions of the Vicars Apostolic were sought. The suggested changes were contained in a Roman document called the *Statuta Proposita*, which also set forth some rules for the mission, almost identical with those proposed earlier by the bishops. The last part of the document was concerned with the spiritual and financial needs of the Church in the British colonies and suggested means by which the English Catholics could help these colonial churches by providing priests and money. These proposals were accorded a very frigid reception. The bishops affirmed that the necessary financial provisions could be made and suggested some slight boundary changes in the new Districts, but for the most part their answers were terse and gave little information. The proposals about the colonies they thought impracticable, the author of them showing little knowledge of the English mission and its resources. The brevity of the reply displeased Gregory XVI, who complained to Wiseman about the tone of their letter and the lack

of respect and deference shown to himself. The bishops hastened to apologize, but they were too late, for Gregory's distrust and suspicion of them had only been deepened.

When the Roman plan became known it was met by the hostility of the clergy, who emphatically did not want the present form of administration to be continued, and therefore sent fresh petitions to Rome asking for the restoration of the normal form of Church government. Once again adverse influences were at work in Rome, where the opinions of Monsignor Acton were readily accepted by the Pope. Acton favoured strongly an increase in the number of vicariates but strenuously opposed any suggestion to give England a hierarchy, for he maintained that "the English throughout their history had been factious and opposed to authority, and were not to be entrusted with more and more independent power". It was an opinion with which Gregory XVI could readily agree, for on many occasions he had been forced to complain of the apparent indifference and independence of the English bishops. The opinion of Acton prevailed, and it was decided that England should remain under papal jurisdiction, though the number of vicariates would be increased to eight, as in fact happened in 1840. This rearrangement made certain changes necessary. Dr Griffiths retained the almost unaltered London District. Dr Baines remained in charge of the Western District, which was reduced in size by the loss of South Wales. The whole Welsh principality was given to the Benedictines and of this district the Rev. Thomas Joseph Brown, O.S.B., became the first Vicar Apostolic. The Central District was placed under the care of Bishop Walsh, who received Wiseman as his coadjutor. To make possible the appointment of the latter as President of Oscott, the existing President, Dr Weedall, was appointed to the new Northern District, whilst the Vice-President, the Rev. William Wareing, was sent to the Eastern District. In the North, Dr Briggs, the Vicar Apostolic of the old District, took possession of the Yorkshire District, while Lancashire was handed over to Dr George Brown.

The decade that followed witnessed a still greater increase in Catholic numbers. As a consequence of the famine years, Irish immigrants flocked into England. They landed at Liver-

pool, invaded the Midlands, streamed into London and sought employment in the growing industrial towns. In the first half of 1847 alone more than three hundred thousand landed in Liverpool. Some of these stayed only a short time and then sailed to America or Australia. Others died in the epidemic that was attacking the already overcrowded city. Even so, according to the Chief Constable's report, the population of Liverpool alone was increased in the course of the year by the addition of 137,519 persons. "This Irish addition to Catholic numbers," wrote Bishop Ward, "was the most important event in our Church annals during the nineteenth century." As a result of it the Catholic population of this country was more than doubled. In 1851 a census of churchgoers was attempted by counting those who attended morning and evening services in the churches and chapels of all denominations on Sunday, 30 March. The official report, published in 1854, stated that "the total number of persons professing Roman Catholicism in England and Wales cannot be less than one million and probably exceeds that number". Within the space of ten years over five hundred thousand souls had been added to the Catholic total. The supporters of the restoration movement had good grounds for renewing their agitation.

During the years immediately following 1840 there seemed little hope of realizing their aims, for in Rome Cardinal Acton reigned supreme as chief adviser to Gregory XVI on English affairs. At home in England the London District was still in the possession of Bishop Griffiths, who was held responsible by the Pope for the many misunderstandings that had arisen in recent years and so was considered an unsuitable candidate for the position of first Metropolitan should the hierarchy be restored. Since he ruled the most important District he could hardly be passed over, but, rather than make him first Archbishop, the Pope preferred to leave the question of the hierarchy in abeyance. Acton and Griffiths both being relatively young, there seemed little prospect of any immediate change in the situation. However, the unexpected happened. In 1846 Gregory died suddenly and was succeeded by Pius IX. Hoping that the new Pope would be more favourably disposed towards their project than his predecessor, the Vicars Apostolic decided to take the

initiative. Bishops Wiseman and Sharples, the coadjutors of the Midland and Lancashire Districts respectively, were sent to Rome to reopen negotiations. Wiseman was a good choice, for during his long residence at the English College he had become well acquainted with the procedure of the Roman Congregations and was not likely to make any blunders that might antagonize the Pope or Propaganda. Moreover, he was on good terms with Cardinal Acton, who still had to be converted to the restoration scheme. Whether Wiseman would have succeeded in that task we shall never know, for the Cardinal died before the two bishops reached Rome. His death removed one of the main obstacles to restoration, but others still remained. Wiseman reported that "much sinister influence had been exerted at Rome against the present state of things in England, and consequently against the bishops". The detractors of the bishops were still powerful. They complained that through the indifference of the bishops the larger towns were left without sufficient priests, churches and schools. They maintained also that conversions would have been more numerous if only the bishops had shown greater interest and zeal. Wiseman and Sharples replied to these criticisms by compiling a list of the churches, chapels and religious houses opened since 1840, and appended an account of the missions and retreats that had been held. The Pope was impressed and reassured.

At the instance of Monsignor Barnabò, the Secretary of Propaganda, the two bishops presented a formal petition for the restoration to Pius IX. The Holy Father, after saying three Masses for guidance, declared his readiness to grant this request, but before committing himself he ordered Propaganda to draw up a list of objections that Wiseman and Sharples were to answer in writing. Everything was proceeding favourably, when news reached Rome of the unexpected death of Bishop Griffiths on 12 August, 1847. In view of the proposed restoration, the appointment of a successor was a matter of great importance, for the new Vicar Apostolic would almost certainly become the first leader of the new hierarchy. The whole question needed careful consideration. Fortunately, Griffiths had never had a coadjutor, though one of his last acts had been to ask for one. His list of possible successors reached Rome after his death, but

his suggestions were ignored. On 29 August Wiseman was temporarily appointed to the vacant District with the title of Pro-Vicar. By this date Wiseman had already left Rome on a diplomatic mission to the British Government. The liberal policy of the Pope, and in particular his willingness to grant the Papal States a democratic constitution, had annoyed the reactionary rulers of Austria, who feared that the action of the Pope might embolden the already restless inhabitants of Austria's Italian provinces to demand similar concessions. The Austrian Government adopted a menacing attitude and sent troops to occupy Ferrara. The Pope turned to England for help, confident that it would be given, for it was well known that Lord Palmerston was always ready to support constitutional movements. It was in order to enlist the sympathy of the British Government that Wiseman had been sent to England, and he was accordingly on his way home when news of his appointment reached him.

In his absence negotiations were carried on by Bishop Sharples, who returned to England in October 1847 with instructions that a plan should be drawn up for the division of the country into twelve dioceses. The bishops immediately set to work. The arrangement of boundaries caused little difficulty save in the cases of London and Lancashire. The Thames was the natural boundary between the two dioceses to be formed from the London District, but objections were raised to this arrangement by those who thought that the whole of the city of London should be included in the future diocese of Westminster. In Lancashire Bishop Brown was at loggerheads with his clergy, who felt that, since Catholicity was strong in Lancashire, the area might be divided into two dioceses. No solution was reached in either case and the matter was left to the judgement of Rome. The question of the ecclesiastical titles to be adopted offered greater difficulty, for the Emancipation Act had forbidden Catholic bishops to adopt any titles already in the use of the Established Church. In order to evade the law and its penalties, some were in favour of reviving the titles of those ancient Catholic sees, e.g. Beverley, Hexham, Menevia, etc., to which the Anglicans had not appointed bishops. Others thought that the titles should be taken from the large towns in

which the bishops intended to take up residence. This was the more popular solution, for towns like Liverpool, Birmingham and Nottingham had large Catholic populations and, as yet, no Anglican bishops. The third problem that faced the bishops had no ready solution. Wiseman was undoubtedly the most suitable candidate for Westminster, but he was only 45 years of age and therefore considerably junior to many of his episcopal contemporaries. It was considered prudent in the circumstances to leave the appointment of the archbishop to the wisdom of Rome. By some curious oversight the results of these deliberations were not forwarded to Propaganda, where another scheme had been prepared, the details of which were never sent to England. According to this, the eight vicariates were to become eight dioceses, their titles to be taken from the largest town in the area, except in the case of London, where the new see was to be called Westminster. It was intended that Bishop Walsh should be translated from the Central District to Westminster, but the bishop asked that he should be left in his old District, a request that was granted in view of his age and ill-health. The bold course was then adopted of appointing Wiseman. Though all arrangements were completed and the briefs appointing the bishops to their new dioceses were prepared, nothing further was done, for many criticisms of Wiseman were arriving in Rome, as a result of which his suitability for the see of Westminster was doubted. On his appointment as Pro-Vicar, Wiseman had embarked on an ambitious development plan and had incurred debts in order to provide the churches that London needed. This led to the charge that he had little financial sense. His friendship with the Earl of Shrewsbury and other leading Catholic laymen and his interest in the new converts led to the accusations that he was under the influence of the aristocracy and that he was neglecting the older Catholics. Pius IX decided to be cautious and to wait before making Wiseman an archbishop.

As no news had come from Rome, the Vicars Apostolic asked Bishop Ullathorne of the Western District to go out to expedite matters. Since he had played an important part in the foundation of the Australian hierarchy and had already come in contact with the Roman authorities, who greatly respected

his abilities, it was hoped that he would be able to sway Propaganda in favour of the restoration. On his arrival in Rome a commission of seven Cardinals was set up to examine English affairs. Impressed by Ullathorne's information, they quickly reached the conclusion that England should be given a hierarchy and asked the bishop to propose a scheme for dividing England into twelve dioceses. Ullathorne was well prepared, for the question had been discussed at the previous Low Week meeting and so the bishop knew the opinions of his colleagues. The plan was ready within three days and was accepted. Bishop Walsh, in spite of his protests, was to be given the See of Westminster, while Wiseman was to be his coadjutor. Ullathorne was to be translated to the Central District, his place in the Western Vicariate being taken by the Rev. Joseph William Hendren, O.S.F. There was, however, one matter that the commission could not settle to its satisfaction, namely the question of the titles. The final decision was left to the English bishops, who tackled the problem immediately on Ullathorne's return and forwarded their suggestions to Rome. There seemed to be no further obstacle and the formal announcement of the restoration was eagerly awaited. The unexpected happened once again. Revolution broke out in Rome. The Cardinals were scattered, whilst the Pope was forced to take refuge at Gaeta. Nothing more could be done until the Pope could return to Rome and the Roman Curia function normally once again.

When this enforced exile was over, in 1850, negotiations commenced once more. The final arrangements had already been completed. Ullathorne's plan was adopted with only one change. The Lancashire District was divided into the dioceses of Liverpool and Salford at the request of the clergy. The bishops themselves two years earlier had satisfactorily settled the question of the titles. Dr Briggs and Dr Hogarth had revived two ancient titles, Beverley and Hexham respectively. Bishop Brown of Wales had chosen a title that was a mixture of the old and the new, Newport and Menevia. Most of the others were taken from the most important towns in the new dioceses, Birmingham, Liverpool, Shrewsbury, Nottingham, Northampton and Plymouth. In the cases of Bristol and Manchester there was a difficulty, for these places had Anglican bishops. In both

cases the title was taken from a District that was technically different from the town itself, i.e. Clifton and Salford. For the same reason the two remaining dioceses were called Westminster and Southwark respectively.

Before proceeding with the restoration of the hierarchy Pius IX intimated to Wiseman, who had succeeded to the London Vicariate in 1849 on the death of Walsh, his intention of making him a Cardinal in Curia. The honour was totally unexpected, for, as Ullathorne pointed out, never before had a Vicar Apostolic been raised to the Cardinalate. It was, however, a bitter blow to Wiseman himself, whose sole interests were centred on the English mission. When the news became public, the bishops and others begged that England should not be deprived of such an outstanding leader, whose guidance would be invaluable during the infancy of the hierarchy. Their prayers were answered, for, on his arrival in Rome, Wiseman learnt that he was to go back to England as Cardinal Archbishop of Westminster. By this time all arrangements had been completed and on 29 September, 1850, the Papal Brief *Universalis Ecclesiae*¹ announced the formation of one metropolitan see and twelve suffragan bishoprics in the words: "Wherefore, considering the whole actual condition of Catholicism in England, reflecting on the considerable number of Catholics, a number every day increasing, and remarking how from day to day the obstacles are being removed which chiefly opposed the propagation of the Catholic religion, We perceived that the time had arrived for restoring in England the ordinary form of ecclesiastical government, as freely constituted in other nations where no particular cause necessitates the ministry of Vicars Apostolic. . . . Therefore having weighed with the most scrupulous attention everything regarding this matter, We, of our mere motion, of our certain knowledge and by the plenitude of our Apostolic authority, have decreed, and do decree, the re-establishment within the kingdom of England, according to the common rules of the Church, of the Hierarchy of bishops ordinary."

The heart of Cardinal Wiseman was filled with joy and enthusiasm when he dispatched from Rome his pastoral "from

¹ See text above, p. 153.

out of the Flaminian Gate", in which he formally announced the glad tidings to England: "The great work then is complete; what you have long desired and prayed for is granted. Your beloved country has received a place among the fair churches, which, normally constituted, form the splendid aggregate of Catholic Communion; Catholic England has been restored to its orbit in the ecclesiastical firmament, from which its light had long vanished, and now begins anew its course of regularly adjusted action round the centre of unity, the source of jurisdiction, of light and of vigour. How wonderfully this has been brought about. . . . How clearly the hand of God has been shown at every step."

The news of the restoration was greeted in London by public demonstrations; anti-Catholic mobs attacked priests and smashed the windows of Catholic churches; effigies of the new Cardinal were burned in the streets. Non-Catholics in general misunderstood the true nature of the proposed changes. They were indignant because they thought that the Pope was attempting to supplant the Established Church. They were hysterical and somewhat afraid, because they suspected that Pius IX had some sinister scheme in mind for the forcible conversion of all Englishmen. The Government, from whom no opposition had been expected, joined in the fray, Lord John Russell denouncing this "claim to sole and undivided sway, which is inconsistent with the Queen's supremacy, with the rights of our bishops and clergy and with the spiritual independence of the nation". The Cardinal's immediate return and the publication of "The Appeal to the English People" did much to calm non-Catholic fears and to put an end to the agitation. Russell, however, had committed himself to pass legislation against the Catholic hierarchy, but by 1851, when the Ecclesiastical Titles Act was passed to prevent the bishops from using the new titles, the agitation had almost died away and the Act became a dead-letter.

The change was welcomed by most Catholics, though some of the more conservative were afraid that the penal legislation might be renewed and so were not enthusiastic. The clergy, who had so earnestly longed for this moment, were disappointed, for no change was made in their status, although later some of

the well-established urban missions were constituted quasi-parishes, and the priests-in-charge were given certain privileges under the title of "Missionary Rectors". The majority of the clergy remained missionaries removable at the will of the bishop.¹

The Rambler, a contemporary Catholic journal, in an article published in 1850, remarked that the restoration of the hierarchy and the subsequent establishment of the normal form of Church government would "pave the way to an immense increase in the number of the clergy, to the improvement of the education of rich and poor, to the multiplication of the religious orders, to the building of churches and schools, to the organized employment of lay zeal and ability in the service of religion, to the preaching of the Gospel to the myriads lost in sin and ignorance in our populous cities". The century that has elapsed has certainly witnessed the fulfilment of this forecast. In 1850 the total Catholic population of England and Wales was about one million. Today it stands at nearly three millions. The number of priests has increased still more rapidly from 826 to 6,643. The number of churches and chapels is another indication of our progress. In 1850 we possessed only 597 churches, whereas today we can count 2,868. Other signs of progress can be found in the increased number of schools, of religious houses of men and women and of charitable institutions devoted to a multiplicity of good works. Finally, the energies of the laity have been directed into the service of religion, as can be seen from the great variety of lay associations and societies in existence. Though much progress has been made, much remains to be done. The conversion of England is a work still in its infancy. Relying upon the continued support of God, our Father, assured of the prayers of Mary, our Mother, and encouraged by the successes of the past, we can face the future with confidence and enthusiasm, hoping that England may soon return to the religion of her forefathers, soon become an island of saints again and once more be found worthy to bear that glorious title, "Dowry of Mary", which was once her proudest boast.

P. DORAN

¹ For an assessment of the canonical effects of the restoration of the hierarchy, see Dr. McReavy's article, *infra*, p. 179.—*Editor's Note.*

THE HIERARCHY AND CANON LAW

MANY of the older generation of Catholics, in 1850, had not only witnessed in their lifetime the relaxation and repeal of the penal laws against their Faith and the return of the men of Douai from their long sojourn abroad, but had even seen the establishment in British colonies of hierarchies founded with financial support from the British Government. It is not surprising, therefore, that they felt the status of the Church in England and Wales to be anachronistic, labouring as it did under a system of ecclesiastical government and division which derived from penal times, and that all alike, bishops, clergy and layfolk, had long aspired to the setting up of a more normal regime.

But though the desire was general, the motives behind it were many and various. In some quarters the setting up of a hierarchy of diocesan Ordinaries with local titles had been conceived as a nationalist and cisalpine move. Pitt, we are told, had suggested it to Cardinal Erskine, in 1790, as a means of lessening anti-Catholic prejudice.¹ And, in the same year, Sir John Throckmorton had written a series of letters to the clergy of the London District urging them to decline to be governed any longer by a mere delegate of the Pope, and to elect their own Ordinary without reference to the Holy See.²

The clergy of the early nineteenth century did not apparently share Sir John's violently cisalpine views. They aspired to a voice in the selection of their episcopal rulers, and indeed, in 1850, some of them drafted a petition to that effect to the Holy See;³ but the real ground of their dislike for government by Vicars Apostolic was domestic rather than political or nationalist. They felt it to be too personal and arbitrary, too reminiscent of a troubled era in which exceptional circumstances had justified exceptional measures. Since the death of Bishop Watson, in 1584, the Church in England had been governed from Rome, not just remotely like the rest of the Church, but directly and immediately. The Vicars Apostolic were mere delegates of the

¹ Wilfrid Ward, *Life of Cardinal Wiseman*, London, 1912, Vol. II, p. 20.

² Ward, *op. cit.*, Vol. I, p. 512.

³ Ward, *op. cit.*, Vol. II, p. 55.

Holy Father,¹ nor was there any effective appeal from their decisions and dispositions, except directly to the Holy See. Throughout the penal times the clergy had accepted this exceptional regime as inevitable, but now that circumstances were more normal they were anxious to receive a more constitutional form of government in which their rights and duties would be more clearly and canonically defined, and they felt that the quickest and surest way to such a reform lay through a restoration of the hierarchy and a return to the common ecclesiastical law.

The Vicars Apostolic were far from opposing these legitimate aspirations of the clergy. Indeed, in a memorial which Bishop Ullathorne presented to the Holy See, in 1848, on behalf of his episcopal brethren, one of the arguments put forward in favour of a speedy restoration of constitutional government was precisely the common concern of the Vicars Apostolic to establish the rights and privileges of the clergy on a proper footing.² To do so, the first requirement was a new corpus of law, general and particular. The constitution *Apostolicum Ministerium*,³ according to which the Church in England had still to be governed, had been issued by Pope Benedict XIV, in 1753, to cater for circumstances which had been radically altered in the last fifty years. This constitution, as Bishop Wiseman observed, in 1847, in a *votum* which he submitted to the Holy See, "was rather a clog and embarrassment, than a guide". The bishops, he added, "found themselves perplexed and their situation full of difficulty as they earnestly desired to be guarded from arbitrary decisions

¹ "They had no inherent authority, were removable at will, had no corporate organization, no local superior, no power of synodal action. Not only their provisional authority, but the very rules by which they guided the churches and the clergy, came direct from Rome."—Ullathorne, *History of the Restoration of the Catholic Hierarchy in England*, London, 1871, p. 2.

² "Nor, continued the memorialist, did the Vicars Apostolic overlook the rights and requirements of the second order of the clergy. On the contrary, they were animated with an earnest desire of seeing them share in all those privileges that the peace and well-being of religion and the good order of ecclesiastical discipline permitted and required. In the last two assemblies of the bishops the position of the clergy had engaged their serious and protracted attention. And it was now submitted to the decision of the Sacred Congregation, whether this subject should be one of the earliest marked for discussion and settlement in the first Provincial Synod. There the clergy would have their consultative voice; there they would see the spirit with which the Bishops were animated towards them."—Ullathorne, *op. cit.*, pp. 42-3.

³ Gasparri, *Codicis Iuris Canonici Fontes*, n. 425.

by fixed rules, and yet had none provided for them. . . . Either the Holy See must issue another and full Constitution, which would supply all wants, but which would be necessarily complicated and voluminous, and, as a special provision, would necessarily be temporary; or, the real and complete code of the Church must be at once extended to the Catholic Church in England, so far as compatible with its social position; and this provision would be final. But, in order to adopt this second and more natural expedient, one condition was necessary, and that was: *the Catholics must have a Hierarchy*. The Canon Law is inapplicable under Vicars Apostolic; and besides, many points would have to be synodically adjusted, and without a Metropolitan and Suffragans, a Provincial Synod was out of the question."¹

Moreover, there was the question of prestige. Catholics were sensitive to the taunts of some Anglicans that their bishops were mere deputies of the Roman Pontiff,² and their Church a mere "Italian Mission". The restoration of the hierarchy would give the bishops local roots, and if it were effected, as everyone assumed it would be, by the transformation of the existing Vicars into diocesan Bishops in Ordinary, the sense of continuity would be safeguarded.

Such then were the mixed motives and hopes with which the restoration of the hierarchy was sought and welcomed. Needless to say, not all of them were realized in full, but certain real gains were achieved which it is worth our while to analyse and tabulate.

In the first place, the Church in England was subject once again, after the lapse of three centuries, to ecclesiastical superiors who governed in their own right and name, as bishops in Ordinary, and not as mere delegates of the Pope and in his name. The bishops clearly gained considerably in prestige by their new status, but we must be careful not to exaggerate its effect on their power. As Dr Errington pointed out in a series of lectures which he delivered in 1850, the jurisdiction of the

¹ Ward, *op. cit.*, Vol. I, p. 476. The difficulty was practical rather than juridical. The Pope could have delegated the Vicars Apostolic to meet in synod with legislative authority for the whole country.

² Cf. Bowyer, *The Cardinal Archbishop of Westminster and the New Hierarchy*, London, 1850, p. 9.

bishops was not substantially altered: it was only their title to it that was changed.¹ The restoration of the hierarchy did not mark the beginning of their exercise of ordinary power. Already, a century before, Benedict XIV had specifically declared that the Vicars Apostolic enjoyed, in addition to their specially delegated faculties and within the limits of their territories, all the power that is proper to any Ordinary in his city and diocese.² The difference was that whereas formerly they had exercised the power of an Ordinary by papal delegation, they now exercised it in virtue of their office: it was theirs by a permanent and inherent right. The Pope's general jurisdiction over them remained, of course, unchanged, but his specific and detailed charge of the English Church, as its immediate ordinary superior, had at last come to an end, leaving the men on the spot free to regulate and direct their own affairs within the wide limits of the common law.

It is true that, as long as England and Wales remained officially a missionary territory, subject to the Congregation for the Propagation of the Faith, the common law could not be completely applied, but at least it was no longer completely superseded by a provisional and exceptional code. The constitution *Apostolicum Ministerium*, which had catered for a Catacomb Church, had been replaced by a regime which was, at least in essence, a common law regime, modified only in accidents. If the status of the Church in England and Wales was not yet completely normal, it was, at any rate, as normal as that of a large part of the Church Universal.³

¹ *Four Lectures on the Hierarchy of the Catholic Church and the Effects Arising from the Late Substitution of Bishops in Ordinary for Vicars Apostolic*, London, 1850, Third Lecture, p. 29.

² Const. *Apostolicum Ministerium*, §4.

³ The Apostolic Letter, *Universalis Ecclesiae*, 29 Sept., 1850, by which the hierarchy was restored, decreed as follows: "We shall continue to make use of the services of this same Congregation (Propaganda) in matters connected with the English Churches. But as regards the sacred government of the clergy and laity and in all matters relating to the pastoral office, the Archbishop and Bishops of England will now enjoy all rights and powers which the other Catholic Archbishops and Bishops of other countries, by the common law of the sacred Canons and Apostolic Constitutions, use and have power to use, and will be bound likewise by the same obligations which by the same common discipline of the Catholic Church bind other Archbishops and Bishops. But whatsoever things were in vogue, whether in the ancient state of the churches of England, or in its subsequent missionary condition by reason of special constitutions, privileges, or peculiar customs, as circumstances are now changed, they will carry with them for the future neither

Secondly, the new regime brought with it the establishment of diocesan Chapters of Canons. It is true that, owing to lack of funds and shortage of pastoral clergy, the new Canons could not fulfil their liturgical function, which, in the words of the Code of 1918, is "to offer more solemn worship to God in the Cathedral Church";¹ but they had full opportunity to exercise their juridical function. In their capacity as *senatus et consilium Episcopi* they were called upon to advise and assist the Bishop in his charge, and when the See fell vacant, to take his place in the government of the diocese, until they should have provided for its continuance by electing a Vicar Capitular. Every diocesan Bishop remained, as in his Vicar-Apostolic days, the monarch of his particular domain, but both he and his clergy must have derived no little satisfaction from the fact that he was no longer expected to rule as a lonely autocrat. Moreover, by an indult of 21 April, 1852, the Chapters received a privilege of presenting a *terna* of names to the Holy See, when a new Bishop was to be nominated, so that the clergy could henceforth be said to exercise at least a remote influence on the appointment of their pastors.²

A third result of the new regime was the establishment of a quasi-parochial organization among the pastoral clergy. The reason for this half-way measure was explained in the papal decree which gave approval to it. At the restoration of the hierarchy the bishops had been instructed in general to observe the common law. Experience, however, had shown that this could not be done all at once, and that, for the time being, the missionary state would have to be reconciled to some extent with the establishment of dioceses. Since this was true, in particular, of the establishment of parishes as conceived in the common law, the decree approved of the following compromise. In each diocese the bishop was to select, with the advice of his

rights nor obligations. And, therefore, that no doubt may remain, We, in the plenitude of Our Apostolic authority, take away from such special constitutions and privileges, whatever be their nature, and from such customs however immemorial, and deprive them of all power of in any way binding or establishing a right. Henceforward, the Archbishop and Bishops of England will be free to decree whatsoever pertains to the fulfilment of the common law, or by the general discipline of the Church comes under the authority of the bishops."—Guy, *The Synods in English*, p. 5.

¹ Canon 391.

² *Conc. Prov. Westm.*, I, Appendix, pars I, i and vii.

Chapter, those churches which could suitably be regarded as quasi-parishes, and to appoint to them missionary rectors who were to be regarded as permanently instituted. Moreover, a Commission of Enquiry, consisting of five of the most trustworthy priests, was to be set up by the bishop, at his diocesan synod, and no permanently instituted missionary rector was to be definitely deprived of his mission without his case having been first investigated by at least three members of this commission, and their advice received.¹

How far this disposition was implemented in practice, it is difficult to discover. In some dioceses, it would appear that only a few missions occupied by the more eminent among the clergy were selected as quasi-parishes with permanent missionary rectors, and that few, if any, additions were subsequently made to the list. However, it was a step away from that insecurity of tenure which had given rise to complaints in the past, and a step nearer to that stability which the common law desiderates for all secular rectors of parishes.²

A fourth improvement, which, if not due to the substantial reintroduction of the common law, was at least consequent upon it, was the revival of systematic episcopal visitation. Under the Vicars Apostolic, Dr Ullathorne tells us, visitations "had been both rare and of a mere cursory and informal character", whereas they "were now carried out in that complete and searching manner which the Church requires and prescribes".³ It is not recorded that the clergy were unanimous in hailing this revival as a long-awaited improvement, but objectively it must certainly be added to the credit side of the balance.

A fifth item on the credit side was the establishment of more normal relations between the bishops and the regulars. The constitution *Apostolicum Ministerium*, of 1753, had done much to settle these relations in a manner likely to eliminate jurisdictional controversies, but it necessarily worked on the assumption, no longer valid, that Regular missionaries who came to this country were not only absent from their monasteries, but positively prevented by the civil law from living in community. Its

¹ *Decr. S.C.P.F.*, 21 April, 1852, 4 August, 1853; *Conc. Prov. Westm.*, I, Appendix, pars I, viii-x.

² *Conc. Trident.*, sess. xxiv, *de ref.*, c. 13; *C.I.C.*, canon 454.

³ Ullathorne, *op. cit.*, p. 110.

provisions, therefore, could not help being exceptional. Though it approximated to the common law as far as was practicable, it nevertheless precluded appeal to that law in points of dispute, by the very fact of its substitution for it. The abrogation of *Apostolicum Ministerium* did not, of course, alter the fact that, in 1850, many regulars were still missionary priests living outside their monasteries, but it enabled the common law, with suitable modifications, to become once again the basis of the relationship between the bishops and the regulars. Points of dispute could be settled by reference to the commentaries, without the need of an appeal to Rome.

The final item on the credit side, and to many contemporary observers the most impressive, was the revival of synodical deliberation and action. It was indeed largely from a desire to settle their mutual affairs synodically that many of the bishops and clergy had sought and welcomed the restoration of the Hierarchy, and when the First Provincial Synod of Westminster met at Oscott, in July 1852, there were many who hailed it as the most significant step in the progress of the English and Welsh Church since the Reformation. How deeply it impressed Bishop Ullathorne can be seen from the following evaluation of its contribution to the Church's development, which he wrote some twenty years later.

There, for the first time since our overthrow at the Reformation, were the clergy united with their Bishops in the settlement of what regarded their common interests. For three hundred years had our local religious affairs been regulated, not in this country, or by those immediately concerned in them, but from a distance, and by the Holy See. For hitherto the Catholics of England had been subject to the Pope, not only as Sovereign Pontiff, but as our immediate and sole Pastor, governing our spiritual affairs through his vicars. But now we possessed the normal right and common privilege of providing for our own ecclesiastical rule and regulation, subject to such revision only by the Holy See as might secure our acts from being contrary in any point to the common law of the Church. Here, then, were assembled the thirteen Bishops with their theologians, the delegates from the thirteen newly created chapters, the heads of the religious orders, the rectors of the ecclesiastical colleges, and the

officials of the council. The sentiments of that moment will never be forgotten; for deep and soul-stirring as they were, they found their adequate expression in Dr Newman's exquisite discourse, published under the title of the *Second Spring*. During its delivery Cardinal Wiseman, in the presidential chair, wept tears of consolation. The Bishops and clergy were nearly all in tears. And when the preacher came out from the Synod, they crowded upon him, giving full flow to the ardent out-pourings of their gratitude. . . .

The Decrees of the Synod completed our organization, and laid the foundations of our ecclesiastical discipline. . . .

Thus order arose, rights were adjusted, duties were defined, and light was communicated. The Bishops became better acquainted with the common law of the Church, that wonderful provision of administrative wisdom that has been the growth of so many centuries, and which from time to time the Church has adjusted to the changing exigences of human life. The introduction of rules and canons, such as were useful and available in a Church placed like ours in England, became a strong stay and comfort to the clergy, and a solid instruction as well. And one of the most precious results of this new state of things has been the cessation of those not unfrequent appeals on personal matters to Rome, which under the Vicars-Apostolic had been as painful to the clergy as to their spiritual superiors.¹

Significant, however, as these events may have been in the eyes of those who witnessed them, the change which they brought about was not as complete, in all respects, as some had hoped. According to Wilfrid Ward, "when the decrees of the Synod were discussed, discontent remained with some of the priests of the old school".² For one thing, having apparently expected that a return to the common law would automatically transform their missions into canonical parishes and themselves into *parochi inamovibiles*, some of them did not take altogether kindly to the compromise evolved by the bishops with the approval of the Holy See. Looking back after the lapse of a century, however, we can appreciate that such compromises were more or less inevitable, as long as England and Wales remained officially a missionary territory, under the control of the Congregation of Propaganda. Restoration of the hierarchy opened

¹ Ullathorne, op. cit., pp. 107-9.

² Ward, op. cit., Vol. II, p. 65.

the way to full observance of the common law, but it could not, of itself, make that law immediately applicable in full. It put an end to the exceptional and provisional status of the Church in this country, but it could not, by a mere stroke of the pen, make our canonical status absolutely normal. For that, we had to wait until 29 June, 1908, when the apostolic constitution *Sapienti Consilio* declared the ecclesiastical provinces of England, Scotland and Ireland "a iurisdictione Congregationis de Propaganda Fide exemptas et ad ius commune deductas".¹

LAWRENCE L. McREAVY

THE PARADOX OF WISEMAN

BISHOP WISEMAN'S appointment in 1850 as leader of the restored hierarchy in England was in many ways paradoxical. Far from being a typical or representative figure among the English clergy, he had for years been regarded by them with suspicion, as a Roman-trained prelate who was believed to be incapable of understanding English conditions. His long residence in Rome, his Irish ancestry and Irish temperament, his academic interests and his taste for spectacular functions and occasions—these aspects of him produced a sense of difference, if not of actual distrust. Moreover, Wiseman always had the reputation of being incompetent as an administrator, though he freely delegated such responsibilities. In Rome at the English College, at Oscott while he was president there, or in London either as Vicar Apostolic or as Cardinal Archbishop, he always relied upon his assistants to manage practical affairs for him. Yet, while promising not to interfere with their decisions, he did frequently interfere even in disregard of his own regulations. His later years were indeed made lonely and miserable by the many conflicts and estrangements which arose from his lack of method and his inconsistency.

Judged by the ordinary standards, it could certainly be

¹ *Acta Apostolicae Sedis*, I, 1909, p. 12.

argued that Wiseman was singularly ill-suited to become the first head of the restored hierarchy. Many of the conflicts that ensued would never have arisen under a more conventional leader. But the impetus that he supplied by his personal energy and enthusiasm was a main factor in the Catholic revival. His encouragement of the Tractarians not only hastened Newman's conversion and gave scope to Newman and others who could not hope for occupation elsewhere. He introduced dynamic leadership and vigorous organization when he committed himself to the still more contentious encouragement of Manning. He was nevertheless an isolated figure among his contemporaries. It would have been impossible for them to work together at that period in real harmony, because their background and their outlook were so widely different from his.

All the more striking therefore is the considered verdict of Abbot Butler in the conclusion of his *Life of Ullathorne*, that

After reading again and again, and maturely pondering over the materials collected for the Lives of the four great churchmen, Wiseman, Manning, Newman, Ullathorne, the impression finally and clearly graven on my mind is that, taken all in all, Wiseman stands out as the greatest. He was not the deep acute thinker that Newman was; nor the masterful resourceful man of affairs that Manning was; nor had he the sound practical grip of men and things that Ullathorne had; but in the combination of richly endowed nature, and attractive lovable personality, and well balanced all-round character, and many-sided intellectual attainments, and successful achievement of a great life-work—in short, as a complete man, he surpassed them all.

This, of course, means Wiseman at his best, before the illnesses and infirmities and troubles of the last years of his life—the Wiseman up to 1855. From this date, when the conflicting influences symbolized by Errington and Manning began to play upon him, and the controversies with Chapter and suffragan bishops broke out, he was thrown into an atmosphere of conflict for which his temperament was little suited.

That remarkable tribute from Abbot Butler is confirmed by another from Ullathorne himself, written many years before Abbot Butler's, but at a time when Ullathorne and Wiseman

had been vehemently opposed to each other. In his *Autobiography* Ullathorne shows plainly that he regarded Wiseman's famous pastoral, announcing the hierarchy, as a grave mistake. He considered that, when the Pope had decided to restore the hierarchy, its promulgation in England "should have been done as quietly and as much within our own circle as possible". Ullathorne certainly did not lack either courage or enterprise; but he did not share Wiseman's impulsive excitement or his desire to proclaim the news to all England. Still less did he sympathize with Wiseman's natural incapacity for administration, though he admired his other gifts and recognized how much they had contributed to the revival. And it is notable that he should pay tribute to Wiseman's practical achievements as a leader and organizer during the first synod of the hierarchy in 1852. He declares that

The conducting of the first Provincial Synod was the masterpiece of Cardinal Wiseman. He it was who drew up the decrees, all except the Constitutions for the cathedral Chapters, which was committed to Bishop Grant and myself, although their main substance is the work of Bishop Grant. The unity and harmony which pervaded that Chapter is one of the most delightful reminiscences of my episcopal life. Certainly no one but Cardinal Wiseman, who concentrated his whole capacious mind upon it in one of his happiest periods, could have brought it to so successful an issue; or have given to it so great an amount of ecclesiastical splendour. And there the rule and precedent was established for the conducting of our future Synods.

The Synod required just those gifts and that experience which made Wiseman an isolated figure among the English Catholics. He really enjoyed "ecclesiastical splendour" and great ceremonies; and his training in Rome had taught him how the new procedure should be arranged, while keeping it flexible, and how to impart a more formal dignity to it.

He had been one of the pioneers in reviving the English College in Rome, and its prestige was largely due to his personal achievements. It had been derelict for some twenty years when he went to Rome from Ushaw in 1818 as one of a group of semiarists who were to be its first students under Dr Gradwell. A number of them had distinguished themselves quickly, win-

ning medals and degrees in competition with Italians who were several years their seniors. But Wiseman had been the outstanding man among them; and he had made his name before being ordained, when he won his doctorate of divinity at a formidable public concursus. His quiet self-confidence had impressed his audience as much as his skill and learning. He showed the same qualities when the Vatican Librarian, Mgr Mai, urged him to apply in his early twenties for the university professorship of oriental languages. An appointment was made irregularly, before he had time to apply, and young Wiseman went boldly to the Pope to ask for his intervention. When the Pope had promised him a fair chance if he published a book, the chair was again filled before he could compete, and a second time he obtained a private audience to assert his rights. The Pope's personal intervention obtained him the chair; and his appointment brought to the College the kudos which Wiseman desired for it. Personal vanity was never a serious failing with him, and he had been constantly alive to it as a danger since his youth, when he found that success came to him so easily. But he had a keen sense of ecclesiastical dignity, and as the young rector of the English College he acquired a gravity of manner which was viewed with considerable disfavour when he made his first tour in England.

He was only thirty-three when he reached England in the summer of 1835; but he had been rector of the English College and a notable personality in Rome for some seven years. He had also been acting as Roman agent for the English Vicars Apostolic, and was therefore familiar with most of their practical problems. They had found him an energetic and skilful agent; and his reputation as a scholar and a professor had been enhanced by the recent publication of his *Lectures on the Connection Between Science and Revealed Religion*. But he had very little knowledge of the English clergy outside the colleges, and his purpose in visiting England was not likely to give him such contacts. He had been invited by Bishop Baines to join him in organizing his projects at Prior Park. Dr Baines had bought that vast mansion and its grounds to serve as a seminary and a secondary school, and also as an episcopal residence, for the Western District. Though his District contained fewer Catholics than did the

others, he was the first bishop to undertake such ambitious enterprises, and he had persuaded Wiseman to assist him in establishing a Catholic University as an extension of Prior Park. Pope Gregory XVI, who had known Wiseman intimately before he became Pope, had given his approval, and had sanctioned his leaving the English College to make the experiment without requiring him to resign until he could judge the result.

Wiseman's letters show plainly that he assumed not only that he was to become rector of a Catholic University but that Bishop Baines intended to have him as his coadjutor with right of succession. But the whole plan fell through at once when he found that Bishop Baines had changed his mind and wished him only to stay for a year on probation. Having no definite plans in view, Wiseman therefore returned to London and arranged for a protracted tour, which was to include Ireland as well as England, to investigate actual conditions. But the tour only lasted for a few months, and was confined chiefly to the principal houses of the Catholic gentry. At Ushaw his old master Dr Newsham gave him a depressing account of the lack of apostolic spirit and of proper training among the clergy. Wiseman had very little chance of meeting any of them outside the great houses which he visited; and he was back in London for Advent, to take temporary charge of the Sardinia Street chapel with its large congregation of Italians. His public lectures there, and still more the second series of his lectures at Moorfields in Lent, made him a public figure in London. He attracted Protestants who had never before visited a Catholic church in England, and he astonished the fashionable world by the range of his learning, his urbanity in controversy, and his wide acquaintance with learned men in other countries. Much of his time was occupied in meeting fashionable people who wished for information about the Catholic Church.

Even in London during his first visits he learned little of the practical problems that were overwhelming the pastoral clergy. These kept Bishop Griffiths so constantly occupied and overworked that he became irritable in his correspondence with Rome, and impatient of the enthusiasts who began to talk about England returning by conversion to Catholic unity. Wiseman's chief contacts had been made in the Midland District, where

Bishop Walsh received him with an enthusiasm which more than compensated for the rebuff from Bishop Baines at Bath. Bishop Walsh was enlarging Oscott, and could provide scope there for Wiseman more securely than Bishop Baines could hope to do at Prior Park. He was also an older bishop and more likely to obtain a coadjutor if he applied for one. As an Irishman, like Wiseman, he was more sanguine and more adventurous in regard to new enterprises than were most of the English clergy. And he had the support of a remarkable group of laymen who were dedicating themselves to religious revival as the chief interest of their lives. The Earl of Shrewsbury had made Alton Towers in Staffordshire the chief social centre of the Catholic aristocracy. His young friend, the convert Ambrose Phillipps, had established on his own estates in Leicestershire a group of Trappists who were forming the first monastery in England since the Reformation. Phillipps had also become the close friend of Augustus Welby Pugin, another young convert who was already recognized as the chief exponent of the gothic revival and was devoting his immense energy and genius to the revival of Christian art. Besides these three, who were all working in the Midland District, Bishop Walsh had the collaboration of Mr Hardman in Birmingham, who was to be the chief donor of funds for the new Catholic cathedral there which Pugin was designing.

In frequent meetings with these remarkable men, who were giving so much assistance to Bishop Walsh, Wiseman had inevitably formed an impression of enterprise and activity which had no counterpart elsewhere in England. Both in his first visit during 1835-36, and still more during his second visit in 1839, Wiseman had been chiefly concerned with the prospects of religious revival and of conversion among Protestants. He had helped to found the quarterly *Dublin Review*, as an organ of Catholic scholarship and apologetics; and as its editor he had been drawn into controversies concerning the Tractarian Movement. Bishop Walsh had been delighted to find him so eager to promote new enterprises in England and he greatly admired Wiseman's preaching and his writing. He gave so much attention to Wiseman during his first tour in England that some of his clergy considered that he was losing all sense of proportion.

Dr Bowdon of Sedgley Park was an admirable priest of the old school, hardworking and devoted to his duties, but proud of the inherited prejudices of the English Catholics. "Distant and formal, the result of Roman pomposity" was his first impression of Wiseman in 1835 when Bishop Walsh had them both to dine with him. He definitely disliked Wiseman's writing as well as his preaching and found it "not English, and obscure". The success of his lectures to fashionable audiences in London did not inspire confidence among the overworked clergy in the country districts or in the new industrial cities where the Irish immigrant labourers were beginning to pour in.

By 1839, after his second visit to England, the distrust of his Roman attitude had further increased. Both the Vicars Apostolic and the clergy had come to believe that he was incapable of representing their views adequately in Rome. The bishops had been pressing for a restoration of the Hierarchy, to obtain the authority which they needed for placing priests where they were most urgently required and to strengthen their hands in dealing with the religious orders. But misunderstanding arose as a result of failure to supply information; and Rome considered that there was a querulousness in their correspondence which looked like disaffection towards the Holy See. The eager laymen who had gained Bishop Walsh's ear in the Midlands were constantly representing to Rome that the clergy were deplorably conservative and lacking in apostolic spirit, and that only the religious congregations could cope with the vast new problems that were arising. Wiseman undoubtedly shared their views to some extent, and he was soon suspected of reporting adversely against the clergy while he was acting as agent for the Vicars Apostolic.

Bishop Griffiths as well as Bishop Baines believed that he had fallen under the influence of their critics, and was encouraging the Holy See to insist upon innovations which the Vicars Apostolic had not had time to consider. The clergy had come to the same conclusion; and two resolutions were passed by them, both in the London and the Northern Districts, towards the end of 1839, recommending that the Vicars Apostolic should be asked to allow the appointment of "an agent in Rome independent of the College there".

Opposition to Wiseman had become so evident that in the summer of 1840, when Rome decided to raise the number of Vicars Apostolic from four to eight, Wiseman's appointment as coadjutor to Bishop Walsh was made first and independently. His arrival at Oscott in the autumn of 1840 was therefore far from being a triumphal return to England. He knew well that he had been widely criticized and that Bishop Walsh's enthusiasm for him was not generally shared. Under the new arrangement the Midland District had been divided into two; but Bishop Walsh's new Central District still included all the principal activities which interested Wiseman most. Lord Shrewsbury at Alton Towers, with his many generous schemes for building churches, was its leading layman; and Ambrose Phillipps in Leicestershire was always prompting him to new enterprises, besides being in constant correspondence with Pugin, who was now professor of ecclesiastical art at Oscott and architect of the new cathedral in Birmingham. But while these brave enterprises aroused great hopes, both Pugin and Phillipps were enthusiastic converts who not only criticized the old Catholics very freely but wished to impose their own ideas of reforming church architecture and vestments. They relied upon Wiseman to support them in these views, but were soon disappointed when they found that his tastes were definitely Italian rather than gothic. But they relied also on Wiseman to support their efforts to establish relations with the Tractarian movement at Oxford; and in this direction they had his full sympathy.

He was so much identified with these new ideas that a definite attempt to prevent his being sent to England as a bishop appears to have been made. Excited letters from Pugin and Phillipps and Lord Shrewsbury refer to the efforts being made to keep him out of England; and the clergy had already passed what was virtually a vote of no confidence in him as their agent in Rome. They had even offered to subscribe the funds required for an independent agent to replace him. Yet it was almost inevitable that as rector of the English College in Rome he should be appointed to one of the English Districts when a vacancy arose. Dr Gradwell, who had been the first rector when the College was revived, was sent to London as coadjutor, but died within a few years of his return, Wiseman's rectorship had been

much more distinguished than Gradwell's and his promotion to episcopacy was only to be expected. But he had become associated with a series of new developments which were resented at home. Not least was his encouragement of the Italian religious congregations who desired to establish missions in England. Here again the initiative had been taken by some of the young converts who looked to Wiseman as their counsellor. Lord Spencer's son, the Hon. George Spencer, had come to Rome as a young convert parson and had influenced Wiseman considerably by urging him to concentrate upon religious revival in England rather than upon his official work in Rome. He and Ambrose Phillipps had become closely involved with Rosmini, the founder of the new Institute of Charity, and with Father Dominic Barberi the Passionist, and their congregations were willing to send missionaries to England. Mgr Acton in Rome, who had replaced Cardinal Weld as the chief adviser on English affairs, gave them his full support and Wiseman helped their arrangements without consulting the bishops in England. He had been reprimanded by Bishop Griffiths for going so far, and instructed to do nothing more without obtaining formal approval from England.

His nomination as coadjutor to Bishop Walsh left him a free hand to assist the Italian missionaries; and within a few months of reaching England he was making arrangements for the Passionists in Staffordshire and for the Rosminians in Leicestershire. They both reported to Rome that Bishop Walsh had no prejudice against religious congregations and would welcome reinforcements from any quarter. But even Wiseman had to restrain Father Dominic and his colleagues from wearing their monastic clothes openly in the streets. Such practices seemed to the older clergy a wanton provocation of Protestant hostility; and they blamed Wiseman for not understanding the necessity for caution. They deplored no less his expressions of sympathy with the Tractarians, who appeared to be trying to imitate Catholic practice and to toy with Catholic doctrines while retaining their comfortable livings in the Established Church. Wiseman's article on the Donatists in the *Dublin Review* had made a sensation among the Tractarians shortly before he came to Oscott as a bishop. He was keenly disappointed when he found that

Newman discouraged all invitations to engage in friendly controversy. In February 1841 Newman's Tract XC produced such a storm that the Tracts had to be discontinued; but while the older Catholics generally felt relief that Newman had been exposed as a writer of little real authority, Wiseman published his "Letter to Lord Shrewsbury" as a plea for sympathy with his aims.

His appeals for a charitable understanding of Newman's difficulties earned him many reproaches. At Oscott he was causing dismay by his constant preoccupation with the Tractarians. In a private letter to Ambrose Phillipps at this stage he revealed how far he counted upon the conversion of Newman and his disciples.

Let us have an influx of new blood; let us have even but a small number of such men as write in the Tracts, so imbued with the spirit of the early Church, so desirous to revive the image of the ancient Fathers . . . I am ready to acknowledge that in all things except the happiness of possessing the truth, and being in communion with God's true church, and enjoying the advantage and blessings that flow thence, we are their inferiors . . . I have long said it to those about me—that if the Oxford Divines entered the Church, we must be ready to fall into the shade and take up our position in the background. I will gladly say to them *Me oportet minui*. I will willingly yield to them place and honour, if God's good service require it.

Such views made his position in England more isolated than he had ever expected. Even after Newman's submission in 1845, when he wrote a personal memorandum on the situation, he declared that "Seldom before have I felt more completely the peculiarity of my position in my *total isolation* as regards support and counsel, as well as sympathy and concurrence in views and plans." He had been through "years of silent and solitary sorrow" during which, even at Oscott, he "had reason to know that *not one* was working with me, thought with me or felt with me".

Even the prestige which came to him when Newman became a Catholic scarcely affected the loneliness of his position. He was more than ever preoccupied with the converts and with their

needs, making plans to provide scope for the convert parsons who would plainly have no openings waiting for them when they became priests. The vast Irish immigration after the famine was pouring into England; but Wiseman had probably less concern with it than any of the other bishops, as his hands were full with special duties. He had never been a successful administrator; and Oscott had undoubtedly suffered from neglect during his presidency, though it had gained greatly in prestige from his connexion with it. As coadjutor to Bishop Walsh he had never attempted to control finance or discipline, but had been concerned always in promoting new plans and stimulating enthusiasm. The result of his collaboration with Bishop Walsh was a state of financial chaos which Ullathorne found overwhelming a few years later, when he was appointed to the Central District after grappling with the similar chaos that had been left by Bishop Baines in the Western District.

An opportunity to make use of his Roman experience and his diplomatic skill came in 1847, when the Vicars Apostolic had found that a restoration of the hierarchy was becoming imperative as a result of the great Irish immigration. Wiseman was sent to Rome to conduct the negotiations. His old friend Gregory XVI had died but the new Pope, Pius IX, was cordially helpful. On the general principle of restoring a hierarchy there was agreement, but Cardinal Acton as the Pope's chief adviser on English affairs still opposed it, in the belief that the English bishops were not equal to such responsibilities. When Cardinal Acton died suddenly, the main obstacle to a decision was removed; and the chief remaining difficulty was that Bishop Griffiths in London, who should naturally become the head of a new hierarchy, was not a man of adequate calibre. But he too died in 1847 while Wiseman was conducting the negotiations, and a decision was delayed only by the outbreak of political troubles in Italy. Wiseman's prestige stood much higher in Rome than in England; and the Pope suddenly ordered him back to London, to discuss with the Foreign Office the possibility of establishing diplomatic relations with the Holy See. Austria was threatening intervention in Italy, and the Pope desired political support from London. Wiseman hastened home and was soon making headway with negotiations which aroused alarm among

the English bishops, and still more in Ireland. While Wiseman was hoping to establish formal diplomatic relations with the Holy See, the Irish bishops saw the danger of British interference in the future appointment of bishops. In England also, where the restoration of the hierarchy was plainly imminent, it seemed to both Ullathorne and Bishop Briggs that diplomatic relations would mean similar interference with the choice of English bishops. Bishop Briggs was actually preparing to go to Rome to counteract Wiseman's activities, when revolution broke out and the Pope had to escape to Gaeta.

Wiseman's share in the negotiations which preceded the hierarchy had thus compromised his reputation in England and in Ireland, although it had strengthened his position in Rome. His Roman experience, his talent for diplomacy and his prestige as a public figure in England, were strong qualifications for diplomatic negotiations either with the Holy See or with the Government in London. There was general recognition of his outstanding gifts as a preacher and a controversialist, and he was one of the leaders of religious revival in Europe. But with all his personal distinctions, he seemed incapable of interpreting the attitude of the English Catholics. Their confidence in him was constantly being upset by his connexion with innovations of which they disapproved. In Rome, on the contrary, he appeared as by far the most distinguished figure among the English bishops and as a born leader of religious revival. The death of Bishop Griffiths had left the London District vacant and whoever was appointed there would naturally become the first head of the restored hierarchy. But Rome was so much aware of opposition to Wiseman that he was appointed only as acting Vicar Apostolic in London, while remaining coadjutor to old Bishop Walsh in Birmingham.

His effective appointment to the London District was imposed a year later in an indirect way. Bishop Walsh was already seventy-one in 1847, and he had long been too infirm for active control of the Central District, where he had spent his long life. There, in collaboration with Wiseman, he had produced more remarkable results than any of the other bishops. He begged for escape from the transfer to London upon which the Holy See had decided; and for a time it seemed likely that he would not

live long enough for the move. But in August 1848 he came to London as Vicar Apostolic with Wiseman as his coadjutor, making it clear that all effective authority would be in Wiseman's hands. In February 1849 he died and Wiseman succeeded him.

For two years in London, either as pro-Vicar Apostolic or as coadjutor, Wiseman had been pursuing the plans which he afterwards developed. Among them was the encouragement of the convert clergy, typified by Father Faber's Oratory in William Street. His plans had aroused much opposition; and by the beginning of 1850 he was still keenly conscious of being estranged from his clergy. "You may suppose my views and thoughts were not at first well understood," he confided in Dr Newsham at Ushaw. "Indeed I felt almost alone. But thank God, I believe I have now a hearty cooperation almost everywhere." Both his aims and his methods were uncongenial to many of the older clergy. In less than two years, he told Dr Newsham,

we have established—and I hope solidly—seven new communities of women and three of men in this District; have opened two orphan houses; have set up an excellent middle school, or grammar school, containing 70 boys already; and have opened four new missions in the heart of the poor population, and at least seven others in different parts. This year I have a good prospect of four great establishments springing up in London. Yet all this I consider as nothing compared with what I hope is latently and spiritually being done. The vast increase of communions, the number of admirable conversions, the spread of devotional and charitable associations, the increased piety of the faithful in every class, are less known, though still manifest to all.

But the most novel aspect was his growing prominence as a public figure. He was only forty-seven; and it was not ten years since his return to England from Rome. The older Catholics still held instinctively that for Catholics, religion was an intimate private business which, whether by necessity or by choice, ought not to be paraded before the world. Dr Lingard was eighty at this time, but still as shrewdly observant as ever; and he had watched Wiseman's career with special sympathy since

the days when he had seen his arrival as a small schoolboy at Ushaw. His friend, Canon Walker, had Wiseman's confidence, and Lingard would often send him messages of salutary counsel. When Wiseman succeeded Bishop Walsh in 1849, Lingard sent word at once: "Advise him to cultivate the friendship of his clergy. I fear he will become too great a man." When he heard of the weekly soirées which Wiseman was organizing to bring Catholics into social life, Lingard told Walker to suggest as a subject for discussion "How to send away those swarms of Italian congregationists who introduce their own customs here, and by making religion *ridiculous* in the eyes of protestants *prevent it from spreading here.*" A few months later Lingard was urging that Wiseman should restrain his activities. Walker must advise him "not to interfere in matters that do not imperiously require his interference; that he has more to do than the bodily and mental faculties of any one man are equal to, etc.; that he has enemies ready to catch at every word and action, and misrepresent them at Rome, etc. Withdraw him, if possible, from that state of excitement which he must constantly be in, by seeming to wish the world to look upon him, as the only man in the catholic body calculated to do anything. *Il représente trop.*"

Just when that shrewd letter was being written by Lingard at Hornby, Cardinal Antonelli's letter was on its way to Wiseman informing him that he was to come to Rome to be made a Cardinal. In retrospect it has often seemed surprising that Wiseman should not have expected that the dignity was to be conferred upon him as the head of a restored English hierarchy. But his summons to Rome must have seemed naturally to convey another meaning. Cardinal Acton and Bishop Griffiths had both died in 1847, and Wiseman was an obvious choice to succeed either of them. It was evident that Rome had hesitated to appoint Wiseman to replace Bishop Griffiths in view of the opposition which he had aroused. It was likely, though not necessary, that the Pope should desire to replace Cardinal Acton with someone well qualified to advise on English affairs. The Pope's summons certainly was interpreted by Wiseman in that sense, and he did his utmost to decline the honour, believing that it would remove him from all active work in England.

He received the news early in May 1850 and two months later he wrote in confidence to his friend Dr Russell at Maynooth:

The truth then is that I leave England (for ever) next month. In September the Consistory is to be held which binds me in golden fetters for life, and cuts off all my hopes, all my aspirations, all my life's wish to labour for England's conversion in England, in the midst of the strife with heresy, and the triumphs of the Church. I have written as plainly and as strongly as one can about oneself; but a peremptory answer has come that I am wanted at Rome, and that a successor will be provided. . . . This, however, consoles me: the event oppresses me, crushes me, nay, *buries* me forever in this life; and so it *must* be good for me. But is it not to one like a farmer seeing the fields in which he has taken pride, and on which he has expended all his labour, swept over by a flood, which will efface all his work? And if so, is it not a judgment and a chastisement, and to be submitted to as such?

A letter from Wiseman to Father Faber in this same July corroborates fully the impression that Wiseman believed he was being summoned to replace Cardinal Acton in Rome and that someone else would become head of the new hierarchy. "I have found it hard to resign myself," he told Faber, "to separation from the glorious work going on around us, and the bright prospects that are opening before us. My only consolation has been, and is, that, according to S. Filippo's maxims, we cannot go wrong by obedience; and that in whatever befalls me there has been nothing but thorough opposition to self and renouncing of everything dear." So in August 1850 Wiseman left England for Rome believing that he was going out into exile. He consoled himself with thoughts of buying or building a villa for himself near Monte Porzio. He even called on Lord John Russell before he left London and informed him that he had been summoned to Rome and would not be coming back. Reports that he was to be made a Cardinal had become widespread by then, and urgent letters were sent to Rome begging that he should be left in England in some capacity. Neither the bishops nor the clergy nor the laity had any expectation that he would return within a few months as the head of a restored hierarchy.

This general background must be borne in mind in estimating the effect both of Wiseman's indiscreet pastoral "from out

the Flaminian Gate" and of his "Appeal to the English People" which followed it. The news of his departure for Rome had created a general assumption that Wiseman was being withdrawn from England, and there were plenty of good reasons to explain such a decision. Even if there had been no Protestant outcry against the restoration of the Hierarchy, Wiseman's appointment as its first leader would have been received with mixed feelings. In fact his pastoral went much further than his critics could have expected in its disregard for English prejudices and its enthusiastic expressions of devotion to the Holy See. When they learned that he proposed to issue a second public statement in the form of an Appeal to the People of England, even friends might well fear that his second effort would be as clumsy and provocative as the first had been. No one imagined that he would show such an instinctive understanding of English public opinion when he relied upon a bold and open appeal for fair play. A new era had arrived, which required leadership of a dramatic quality such as Lingard and his generation would have regarded with apprehension. Even among the converts many felt, as Newman did, that Wiseman's activities had been too varied and too spectacular. But the Papal Aggression outcry revealed in him unexpected gifts as a national leader. "He is made for this world and he rises with the occasion," Newman wrote to Sir George Bowyer when the Appeal to the English People had been published with overwhelming effect. "Highly as I put his gifts, I was not prepared for such a display of vigour, power, judgment and sustained energy as the last two months has brought. I heard a dear friend of his say that the news of the opposition would kill him. How he has been out! It is the event of the time. In my own remembrance there has been nothing like it."

DENIS GWYNN

QUESTIONS AND ANSWERS

FACULTIES ON SEA VOYAGE

In the diocesan *pagella* of confessional faculties powers are enjoyed over certain censures reserved to the Ordinary and to the Holy See *simpliciter*, and these diocesan faculties are the basis of faculties enjoyed at sea from canon 883. Are these reserved cases excluded at sea? (E.)

REPLY

Canon 883, §1 : Sacerdotes omnes maritimum iter arripientes, dummodo vel a proprio Ordinario, vel ab Ordinario portus in quo navim conscendunt, vel etiam ab Ordinario cuiusvis portus interiecti per quem in itinere transeunt, facultatem rite acceperint confessiones audiendi, possunt, toto itinere, quorumlibet fidelium secum navigantium confessiones in navi excipere, quamvis in itinere transeat vel etiam aliquandiu consistat variis in locis diversorum Ordinariorum iurisdictioni subiectis.

§2 : Quoties vero navis in itinere consistat, possunt confessiones excipere tum fidelium qui quavis de causa ad navim accedant, tum eorum qui ipsis ad terram obiter appellentibus confiteri petant eosque valide ac licite absolvere etiam a casibus Ordinario loci reservatis.

Unlike the ordinary jurisdiction which is enjoyed by a parish priest over his parishioners, from canons 873, §1, and 881, §2, wherever they may be,¹ the faculties of canon 883 are delegated *a iure* to all approved priests on sea voyages, and the Holy See decided, 16 December, 1947,² that for the purposes of this canon 883 a voyage by aeroplane is subject to the same provisions.

i. The delegated faculty covers cases reserved to the local Ordinary whenever the ship is stationary in a port, though there is some dispute as to the meaning of "cases" in this context.³ If she is outside territorial waters, and therefore outside

¹ Cf. THE CLERGY REVIEW, 1947, XXVIII, p. 125.

² Op. cit., 1948, XXX, p. 344.

³ Op. cit., 1941, XXI, p. 170.

the territory of any local Ordinary, there can obviously be no cases reserved to the Ordinary, and consequently no restriction in this respect on the use of the faculty granted by the canon. If she is within territorial waters we agree with the solution given by Fr Vermeersch: "Dubium tantum superest, de facultate absolvendi a casibus quos sibi reservavit Ordinarius loci quando navis quidem non consistit in itinere, sed in mari territoriali navigat. Putamus tamen canone 883 expeditam iurisdictionem tribui, quae non impediatur scrupulosa observatione partis maris in qua navis navigat. . . ."¹ The conclusion must be, as regards reservations to the Ordinary, that they cease throughout the voyage.²

ii. Since, however, the canon makes no reference whatever to papal reservations, it is certain that these are not included; we think, also, that since faculties over papal reservations delegated by a local Ordinary are not valid beyond the territory of that Ordinary, they are not included in the powers granted by the canon. If they occur, the voyaging priest may absolve them only with the procedure of canon 2254.

MASS WITHOUT A SERVER

I understand that Cappello has the following paragraph in *De Sacramentis*, Editio quinta (1945), Lib. 4, pars. 2, cap. 4, para. 703: "Si desit omnino minister, sacerdos ex qualibet justa et rationabili causa, etiam devotionis tantum, potest Missam sine ministro celebrare, potius quam eam omittere." Can one safely act on this in view of the provision of the Code, the unanimous and strict view of approved authors, and the fact that Cappello is the only author to teach this and that he does so only in post-war editions? (C. R.)

REPLY

S.C. Sacram., 1 October, 1949; *A.A.S.*, 1949, XLI, p. 507; *THE CLERGY REVIEW*, 1950, XXXIII, p. 118:

¹ *Periodica*, 1930, p. 119.

² Cf. *Code Commission*, 20 May, 1923, limiting their use beyond three days in ports.

III, 2 : Lex utendi ministro in Missa perpaucas tantummodo patitur exceptiones, quae ab AA. rei liturgicae et moralis peritis uno consilio reducuntur ad sequentes casus :

(a) si viaticum ministrari debeat infirmo et minister desit ;

(b) si urgeat praeceptum audiendi Missam ut populus eidem satisfacere possit ;

(c) tempore pestilentiae, quando haud facile invenitur qui tale ministerium expleat et secus sacerdos debeat per notabile tempus se abstinere a celebrando ;

(d) si minister e loco abscedat tempore celebrationis, etiam citra consecrationem et offertorium : quo casu reverentia sancto Sacrificio debita prosecutionem exigit etiam illo absente.

Extra hos casus, pro quibus habetur unanims auctorum consensus, huic legi derogatur dumtaxat per apostolicum indultum, praesertim in locis missionum. . . .

3. . . . Nuper vero Sanctitas Sua aliam clausulam indulto litandi Missam sine ministro inserendam praecepit, nempe "*dummodo aliquis fidelis Sacro assistat*", cui nullimode derogari praestat.

i. The lenient view that one may celebrate Mass without a server "*devotionis causa*" was held to be probable not only by Cappello¹ but also by Prümmer² and Wouters,³ and it was well defended more recently in America by writers in the *Ecclesiastical Review*.⁴ Conditions in America in earlier days were held to justify in these circumstances even a solitary celebration, and the authority of *Propaganda* supported this view in interpreting the faculty of celebrating without a server ; this outlook or custom naturally continued long after the indult had ceased to be granted. Without wishing to criticize the practice of priests in other countries, the plea for the milder view seems to have been made too easily. When it is asked, for example, why a number of priests in retreat, all eager to say Mass for their personal sanctification, should be denied the privilege owing to the lack of servers, the obvious rejoinder is that they should serve each other.

¹ *De Sacramentis*, §703.

² *Theol. Moralis*, II, §269.

³ *Theol. Moralis*, III, §304.

⁴ 1947, CXVI, p. 432 ; CXVII, p. 369.

ii. The above question was sent and a reply submitted before the 1949 instruction of the Sacred Congregation appeared. Although we held the stricter view to be preferable¹ our reply was that the lenient view mentioned in (i) was "probable" in the accepted sense of the word. Providentially the instruction appeared before this reply was actually printed, and the editor with his customary vigilance returned it for adjustment; it seems certain to us that the lenient view can no longer be defended. It is within the competence of the Sacred Congregation to correct abuses, which has now been done in no uncertain terms. It might be thought that n. 2 is dealing with the practice of celebrating in an empty church, since the causes (a) and (d) are those usually cited in justification of this practice. It is clear, however, from comparing n. 2 with n. 5, that except for the statement that indulgences will not be granted for celebrating Mass in an empty church, the whole of section III is based on the assumption that someone is present.

The terms of the instruction are not so severe as they might seem to be, for it is possible to obtain indulgences for causes of less gravity than those given in (a) to (d); moreover, it is not required that the server should be able to function perfectly and exactly in accordance with the rubrics, if such a one is not obtainable. It should be fairly easy to obtain at least an indifferent server, or the services of a woman to answer the responses, and the firmness of the Sacred Congregation will encourage priests to do this. In places where the custom of what is called *Missa Dialogata* exists, there will rarely be any difficulty to surmount.

iii. Commenting on the above instruction,² Cappello writes: "Instructio memorat quatuor casus in quibus ex communi doctorum consensu fas est sacram facere sine ministro. Enumeratio dici nequit exclusiva; nam, praeter casus recensitos, alii quoque in praxi verificari possunt." He does not, indeed, mention "devotion" as one of these causes, but it appears that unless this henceforth is to be excluded the words of the instruction have scarcely any meaning, for "devotion" is undoubtedly the

¹ THE CLERGY REVIEW, 1939, XVI, p. 354. Cf. *Theological Studies*, 1948, p. 109, or the arguments on both sides; and for the stricter view, Dr Curtis in *Ecclesiastical Review*, 1946, CXV, p. 364.

² *Periodica*, 1949, p. 420.

weakest of all the reasons alleged by writers as an excuse justifying non-observance of the law. Dealing with the matter in *Mediator Dei*, the Holy Father writes:

"Although it is clear from what We have said that, even though a priest said Mass without a server, the Sacrifice would still be offered in the name of Christ and of the Church, and would not be deprived of its effects even for the benefit of the community, still it is Our desire and command—as it is indeed the command of Holy Mother Church—that out of reverence for the dignity of this august Sacrifice no priest should go to the altar without a server to assist and answer the Mass, according to the prescription of canon 813."¹

BAPTISM IN THE CATHOLIC CHURCH

Is there any official decision or definition of what constitutes baptism in the Catholic Church, for determining subjection to the laws of canons 1070, §1 (*disparitas cultus*), and 1099 (*forma canonica*), in cases where an infant is baptized by a lay person, who may or may not be a Catholic? (P.)

REPLY

Propaganda, 1 April, 1922 (private); Sabetti-Barrett, *Theol. Moralis*, p. 1158: Quidam vir, nomine Thac, anno 1898 ex parentibus infidelibus natus, in infantili aetate a medico quodam catholico, periculo mortis imminente, insciis parentibus baptizatus, postea in infidelitate omnino educatus, matrimonium more patrio contraxit, circa finem anni 1918, cum puella pagana, nomine Nam . . . *Resp* . . . matrimonium hoc Thac-Nam a te declarandum esse nullum, ob impedimentum *disparitatis cultus*.

i. The *Code Commission*, 29 April, 1940,² decided that exemption from the canonical form, as provided for in the latter part of canon 1099, §2, did not apply to exemption from the impediment of difference of worship. The latter part of this canon

¹ *C.T.S.*, §102.

² *THE CLERGY REVIEW*, 1940, XIX, p. 270.

1099, §2, is abrogated from 1 January, 1949,¹ thus bringing the law into harmony with that of canon 1070, §1.

A difficulty, however, remains about the interpretation in both canons of the words "in Ecclesia Catholica baptizatus". We exclude from the inquiry the case of baptism or conversion to the Catholic Church which has taken place after a child has attained the use of reason, even when the conversion is merely implied,² and confine ourselves solely to the case of an infant privately baptized by a lay person; the circumstance of being brought up from infancy in heresy is now irrelevant, and the issue turns on whether the case comes within the phrase "in Ecclesia Catholica baptizatus".

ii. From canon 87 an infant validly baptized is necessarily a member of the Catholic Church, and in a true dogmatic sense "in Ecclesia Catholica baptizatus". But it is clear that, for legal purposes, the phrase used in these canons 1070, §1, and 1099, §2, draws a distinction between those who by valid baptism intend aggregation to the Catholic Church and those who do not. For the baptism of infants the intention to be examined is that of the parents or guardians; if there are no parents or guardians, or if they have no interest in the matter, the intention is that of the lay minister. Thus Cappello: "Nisi contrarium constet, semper praesumitur minister in baptismo conferendo habere intentionem aggregandi subiectum religioni quam ipse profitetur. Quae praesumptio destrui debet contraria voluntate baptizandi, aut parentum vel tutorum ipsius si de infante agitur."³ The words "Nisi contrarium constet" are meant to cover an exception to the foregoing rule, namely when in danger of death an infant is baptized by a lay Catholic and the intention of the parents is to aggregate it to their heretical sect. Since, in danger of death, from canon 750, §1, any infant may lawfully be baptized "etiam invitis parentibus", the minister's intention prevails against that of the parents, as Cappello concludes in n. 7 of the same section, a conclusion supported by *Propaganda*, 1 April, 1922, which though not promulgated is in agreement with the commentators on this point. By declaring that at the end of 1918, namely after the Code's promulgation,

¹ Op. cit., 1948, XXX, p. 341.

² *De Matrimonio*, §412.12.

³ Op. cit., 1947, XXVII, p. 348.

Thac was held by the impediment of difference of worship, it follows that he comes within the phrase "in Ecclesia Catholica baptizatus". Notwithstanding the rule regarding the intention of parents or minister, there will always be some cases which are doubtfully within the phrase "in Ecclesia Catholica baptizatus", especially when an infant is baptized by a lay minister outside the danger of death; in such cases, pending the resolution of the doubt, we must apply the axiom: *impedimentum dubium, impedimentum nullum*.

In addition to the usual commentators on this canon, cf. *Periodica*, 1931, p. 74; *Perfice Munus*, 1948, p. 9; *Irish Ecclesiastical Record*, December 1948, p. 1107; Doheny, *Canonical Procedure in Matrimonial Cases*, p. 1042.

REPEATED VIOLATIONS OF FAST AND ABSTINENCE

What is the reason for the common teaching that a person breaks the law of abstinence as often as he eats meat on one day, whereas if one has broken the fasting law on one day subsequent meals are not additional sins? (A.)

REPLY

Canon 1250: *Abstinenciae lex vetat carne iureque ex carne vesci. . . .*

Canon 1251: *Lex ieiunii praescribit ut nonnisi unica per diem comestio fiat. . . .*

The explanation is sometimes given in terms of the ancient axiom "lex affirmativa obligat semper sed non pro semper; lex negativa vero semper et pro semper": the law of abstinence is negative whereas the law of fasting is positive, and the manner in which the law is expressed in the canons (*vetat, praescribit*) gives some support, perhaps, to this view. The explanation does not quite meet the difficulty, since the fasting law could also be expressed as a negative precept forbidding one to eat more than one full meal. A better solution is that the abstinence law is divisible in the sense that on an abstinence day it is possible to

eat meat several times on distinct and separate occasions; but once having violated the law which permits only one full meal by taking two full meals, it is impossible to observe the law of fasting on that day. This is the usual explanation given by the modern manualists,¹ for the essence of fasting consists in taking only one full meal.

Even so, one might argue, on analogy with some other laws or possible laws, that the fasting law forbids a third or more full meals: one may celebrate Mass only once a day, and having broken the law by celebrating twice, a third celebration is nevertheless forbidden; a parent forbids a child to break her doll, and having broken it she is evidently forbidden to smash it up still more. These and similar arguments are discussed by Waffelaert,² the only modern author known to us who enters fully into the whole question. The answer to them all is that the Church could, indeed, have forbidden on fasting days meals subsequent to the one which breaks the law, but on the one hand no one has yet demonstrated with certainty that this is what the Church forbids, and on the other hand the common interpretation favours the milder view given in the previous paragraph.

All the arguments for the stricter view are recorded by Billuart,³ who thinks it has greater probability, but he is not followed by the modern Dominican theologians such as Prümmer⁴ or Merkelbach.⁵

The notion of one full meal being the essence of fasting is important in some other interpretations of this law favoured increasingly by the modern writers.⁶ In our present discussion this notion is vital, and if one desires the inner reason for the milder view which now prevails, probably Cajetan is its best exponent: "Quia non cadit sub praecepto Ecclesiae non multiplicare comestionem absolute, sed ut requiritur ad ieiunium. Ex quo autem negatio comestionis non potest amplius pro illo die esse conditio ieiunii, quia iam ieiunium solutum est, sequitur quod non cadit sub praecepto ieiunii. Non fit ergo exceptio in

¹ Noldin, *Theol. Moralis*, II, §§676, 680; Iorio, II, §292.3, 299.6.

² *De Temperantia*, §63.

³ *De Temperantia*, II, v. 2; Letouzey, ed. V, p. 166.

⁴ *Theol. Moralis*, II, §660.2.

⁵ *Theol. Moralis*, II, §974.

⁶ THE CLERGY REVIEW, 1933, V, p. 129.

materia hac a regula praecepti negativi, sed declaratur sub qua ratione huiusmodi negatio cadit sub praecepto, scilicet ut est conditio ieiunii. Et quia prima solutio ieiunii facit hanc conditionem non posse pro illo die induere conditionem ieiunii, ideo non cadit amplius sub praecepto ieiunii. Non sic autem esse patet de negatione esus carniū, et prohibitorum, quia absolute, et non solum ut conditio ieiunii cadit sub praecepto illius temporis.”¹

FORM OF EPISCOPAL CONSECRATION

During a conference case on the papal constitution determining the matter and form of sacred orders, no agreement was reached on a correct English version of the episcopal form, although its general meaning is clear. What is the translation of *summam* and *glorificationis* in this context? (W.)

REPLY

Roman Pontifical, “De Consecratione Electorum in Episcopos”, ad praefatium: “Comple in sacerdote tuo ministerii tui summam, et ornamentis totius glorificationis instructum coelestis unguenti rore sanctifica.”

The above phrase, except for two words, has passed unchanged into the Pontifical from the ancient Sacramentaries. The Leonine reads *mysterii* for *ministerii* and *fluore* for *rore*; the Gelasian reads *fluore* for *rore*; the Gregorian is identical.² We suggest the following as an English version of the current text: “Complete in thy priest the perfection of thy ministry, and having vested and adorned him with every kind of honour, sanctify him with the dew of heavenly anointing.”

The noun “summam”—summit—completion—perfection—fits better with *ministerii* than with *mysterii*; in the episcopate is reached the highest peak of the sacred ministry, which is thus

¹ Comment. in II-II, 147, 8; Editio Leonina, X, p. 166.

² Muratori, *Liturgia Romana Vetus*, I, 422; I, 625; II, 440.

contrasted with the "secundi meriti munus", the second rank or dignity, of the preface for the ordination of a priest.¹

The meaning of "glorificationis" can be perceived only by weighing the previous words of the preface, which refers to the external splendour of the Aaronic priesthood, a figure of the pontifical dignity of the Christian priesthood: "Pontificalem gloriam non iam nobis honor commendat vestium sed splendor animarum." The "ornamentis totius glorificationis" of the form must be understood in the same sense as "gloriam" in the previous phrase, not of course as a reference to the pontifical vestments, nor yet as a direct reference to God's glory, but as a reference to the dignity, honour and spiritual power of the episcopate.

The variations of the word *rore* are quite intelligible: *fluore*, a rather rare nominal form of the verb *fluere*, becomes, perhaps through a copyist's error, *flore*, which scarcely makes sense, and is finally altered to *rore*.

Amongst the best commentators giving the passage the sense we have suggested cf. Puniet, *Le Pontifical Romain*, II, p. 40, and Botte in *Questions Liturgiques et Paroissiales*, 1940, p. 25.

A convenient series of extracts from all the ancient liturgical texts of the rite of episcopal consecration may be read in *Dictionnaire de Théologie*, XI, col. 1175, an article on Anglican Ordinations by Dr Marchal, in which the later decisions of the recent papal constitution² are accurately anticipated.

E. J. M.

¹ THE CLERGY REVIEW, 1940, XVIII, p. 258.

² THE CLERGY REVIEW, 1948, XXX, p. 62.

BOOK REVIEWS

The Mystery of Christ, our Head, Priest and King. By Rev. C. V. Hérís, O.P. Translated by Rev. Denis Fahey, C.S.Sp. Pp. 214. (Mercier Press, Cork. Price 15s.)

THE special merit of Father Hérís's work, which still retains its value twenty years after its first publication, lies in presenting a united conspectus of the whole of Catholic Christology, which means not only the doctrine of the Incarnation and all that it implies in Christ Himself but also His redemptive work and the share which all Christians have in its fruits. The Incarnation is viewed especially as Christ's consecration to the Priesthood, and all the perfections of Christ are seen as ordained to this one purpose, that the Word Incarnate may fulfil His mission of redeeming mankind by His sacrifice. The author is thus led to treat at length of the nature of sacrifice in general and of Christ's own sacrifice in particular. The second part of the book, entitled "Christ in Us", shows how we are privileged to share in the holiness of Christ (grace, the sacraments, especially the Eucharist), in His consecration (the sacramental character, treated excellently and very fully), in His kingship (the powers of the Church), and in His sacrifice (the Mass). Such is the general outline of the work, but only a close study of it can give the reader any appreciation of the riches of theological learning that have gone to its making. The book may be heartily recommended to all theological students, who will gain from it a new understanding of dogmatic treatises which in the schools are too often isolated from one another and are here set in unified perspective. If I single out theological students as likely to be the chief beneficiaries of Father Hérís's work it is because it is in effect a book of technical theology, large tracts of which would be unintelligible to anyone who had not made some study of scholastic philosophy. Indeed it is questionable whether such notions as those of being, hypostasis, subsistence (especially when explained, as Father Hérís explains it, in terms of Cajetan's substantial mode), instrumental causality, the order of sacramental being as distinct from that of physical being, and so on, are able to be assimilated by any but the trained philosopher; and the fact that publishers in France are able—as I assume they are able—to find a wide public for books of this kind is either an indication that the majority of French priests prefer their theology in the vernacular, or else a tribute to the naturally philosophical bent of the French mind. I cannot help suggesting that a course of Gilson and Maritain

would be advisable for the laity as a preliminary to the study of the present work. This is not to say that the unphilosophical will derive no profit from it. Father Hérís is in the Dominican tradition which, while yielding the primacy to the intellect, regards as inflationary the knowledge that does not issue in love; and, whether or not he is able to bear the author intelligent company in his metaphysical flights, the general reader will not fail to follow him as he points the way to Christ "a quo omnia, per quem omnia, in quo omnia". If there be still any who really think that Catholics have forgotten Christ in their preoccupation with the Church, they will find the answer here: the living Christ lives in His Church and through the Church imparts to us the fruits of His sacrifice.

Although having come to know something of the author's quality from his useful commentary on certain questions of the *Summa* in the *Édition de la Revue des Jeunes*, I must confess to having made my first acquaintance with the present work in Dr Fahey's competent translation. Father Hérís adheres throughout to the Thomistic theses that have their roots deep in Tradition, and the general result is a most satisfying synthesis. It might seem to some readers, however, that serenity is occasionally ruffled by the *esprit d'école*. It is a pity, perhaps, that he should make the main thesis of his book depend upon the rejection of Scotus's view about the motive of the Incarnation. "If it is correct—and we think we have proved it—," he writes, "that the chief purpose of Christ's coming is to redeem us it is lawful to conclude that Jesus, by the providential decree of God in His regard, is before all else Sovereign High-Priest of humanity. The role of Redeemer and Saviour is properly that of Priest" (p. 31). But would it not still be true, even if Scotus were right, that Christ would be before all else the High-Priest of humanity? Surely the function of the priest is primarily latreutical and only incidentally (in the hypothesis of sin) redemptive. And is the Scotist position on transubstantiation quite fairly stated as being that "the substance of the bread is annihilated by God, and the substance of the Body of Christ put into its place by local movement" (p. 198)? It may be that none of the theories of the *actio adductiva* is satisfactory, but they are all certainly designed to avoid postulating local movement. Here and there, also, one notes a certain inconsistency and obscurity. For example, for a fuller explanation of the statement (p. 78) that grace is derived from the Hypostatic Union as a property from a nature, the reader is directed to an earlier chapter where (p. 56) he is told that, on the contrary, between grace and the Hypostatic Union "there is not a physical link such as is to be found between the essential property of a being and its nature". I find obscurity especially

in two places. The first is in the author's explanation of the Eucharistic sacrifice, where (p. 202), having said that transubstantiation "entails for Christ a very special sacramental mode of being", and having distinguished between this and His natural being, he goes on to maintain that by reason of the separate consecration of the bread and the wine His sacramental "being is really divided". One is left to wonder whether this sacramental being which is conferred on Christ by transubstantiation is real. If it is real, what becomes of the Thomistic doctrine that the *terminus ad quem* of transubstantiation remains unchanged? And if it is not real, how can it be really divided? The other obscurity concerns the connexion between the grace of Christ and His meritorious action. Could Christ have merited supernatural benefits for mankind if He had not possessed sanctifying grace? Father Hérís seems to hesitate in his answer to this question. He had hesitated already in his commentary on the *Summa* (edition cited, *Le Verbe Incarné*, tome 3me, p. 348), where he answers that "à n'envisager que les personnes, il n'est pas de bien, si élevé soit-il, que le Christ ne puisse obtenir . . . mais si l'on considère les actes en eux-mêmes . . . le mérite du Christ ne sera vraiment parfait et adéquat qu'à la condition de se mouvoir dans l'ordre de la grâce et de la charité". He vacillates again here. "It is certain," he writes (p. 77), "that Christ, by acts of merely natural love of God, could have won salvation for the whole human race, for such acts would have had their infinite personal value, even though in themselves they would not have been adapted to the supernatural character of the reward. For the merit of Christ to be perfect from every point of view, it had to be the fruit of activity on the supernatural plane. For the reasons just given, the law of merit, which allows no act to be meritorious of eternal life without charity, applies to Christ as well as to all others."

In allowing that purely natural acts of Christ would receive meritorious value merely from the *gratia unionis* and independently of sanctifying grace, Father Hérís is perhaps unconsciously influenced by Suarez, who defends this view at great length (*Disp. XXXIX*, sect. 2, n. 15). It is not the view of St Thomas, who consistently ascribes all merit, including the merit of Christ, to sanctifying grace and charity (e.g. *III Sent.*, XVIII, q. 1, art. 2, art. 5; *Summa Theol.*, III, 48, 1). He even argues conversely: Christ's actions were meritorious; therefore He must have had grace (*III Sent.*, XIII, q. 1, art. 1, sed contra, 2; *De ver.*, XXIX, art. 1, sed contra, 2). For St Thomas the divinity of Christ is a *circumstance* in regard to His merit: "Although the merit of Christ had a certain infinity from the dignity of His Person, nevertheless it had the character of merit as

such (*rationem meriti*) from habitual grace, without which there can be no merit" (*De ver.*, XXIX, art. 3, ad 4).

Dr Fahey has acquitted himself well of an exacting task. If parts of the book make difficult reading, the same is probably to be said of the French original.

G. D. S.

Evolution and Philosophy. By G. H. Duggan, S.M. Pp. 227. (A. H. & A. W. Reed, Wellington, New Zealand. 12s. 6d.)

DR DUGGAN has been teaching philosophy for some years in New Zealand. The present book is written not so much for the specialist in philosophy as for the intelligent layman. The early part is devoted to a brief résumé of a number of philosophical systems relevant to the main enquiry—Bergson, Haeckel, Hegel and Marx being cited and criticized. The conclusion of this first part is that metaphysics proves the existence of God; there is a short summary of the five ways of St Thomas. Naturally, since only 58 pages are devoted to this metaphysical introduction, the reader will not find a full statement of the philosophical position which the author assumes; nevertheless sufficient is said to provide the reader with some philosophical foundations and a clue to further study and reading.

The main point of the work is developed in the two remaining parts, devoted respectively to a consideration of the origin of life and the origin of diversity in the plant and animal kingdoms. It is in this last part that the reader will find the various arguments in favour of evolution listed and criticized. These appear on the whole to be given fairly and impartially. Naturally they are somewhat abbreviated and some evolutionists might like to see them developed—nevertheless their presentation is adequate. The criticism, too, is well done and the least one can say is that an intelligent reader should at the end of the book be aware of the gaps that exist in evolutionary theory and the possibility of different interpretations of the facts. R. A. Falla (of the Dominion Museum, Wellington), in his short preface, says that he has found Dr Duggan's comments, in fields in which he himself has done some study, refreshingly stimulating and that he would for this reason like to commend the book to students of biology.

Too often books on evolution wander from point to point so that the reader concludes with only the vaguest ideas of the strength or weakness of the evolutionist's position. One great merit of this book is that it is written in a lucid and orderly manner.

G. E.

PERMISSU SUPERIORUM

CHURCH AND STATE ABROAD

THE LATIN CATHOLICS OF RUMANIA

THE BACKGROUND TO THE EXPULSION OF MGR O'HARA, REGENT OF THE NUNCIATURE

THE "Law for the Regulation of Cults", which governs the position of the Catholic Church in Rumania today, was published in the *Monitorul Oficial* of the Rumanian Government, No. 178, on 4 August, 1948.¹ This Law begins with the invariable and wholly meaningless phrases guaranteeing the freedom of religion (Articles 1, 2 and 3) and goes on to declare, *inter alia*, that all appointments to ecclesiastical office must be submitted to the approval of the Ministry of Cults, and to attribute to that Ministry the right to veto every decision, instruction and ordinance of the ecclesiastical authorities. It also arbitrarily reduces from ten to four the number of Dioceses of the Catholic Church. Previously there had been a Metropolitan with four suffragans of each Rite, Latin and Byzantine; now there must be only two Bishops of each Rite. Furthermore, Article 13 declares:

"In order to be able to organize and to function, religions must be recognized by decrees of the Praesidium of the Grand National Assembly, issued on the proposal of the Government, following the recommendation of the Minister of Religion.

"Recognition may be withdrawn in the same way for good and sufficient reasons."

And Article 14 declares:

"In order to obtain recognition, each religion shall forward, through the Ministry of Religion, for examination and approval, its Statute, including the system of organization, management and administration used, together with the articles of faith of the respective religion."

The Catholic Church was required, in short, not only to conform to a law which denies her fundamental and inalienable rights, but to submit and have approved a "Statute" of the kind described in this Article 14.

In a joint document, the Bishops of both the Latin and the

¹ The greater part of this law is textually quoted in *Communism and the Churches: A Documentation*, by J. B. Barron and H. M. Waddams (S.C.M. Press, 4s.), pp. 75-82.

CHURCH AND STATE ABROAD

Byzantine Rites declared their willingness in principle to submit such a Statute, but they had at the same time to explain that there were a number of points in the "Law for the Regulation of Cults" which as Catholics they could not accept without modification. The Government paid no attention. However, in order that the failure of the Catholic Church to present a Statute might not be made the pretext for a withdrawal of State "recognition", which might mean a severe persecution, the Bishops, on 28 October, 1948, submitted to the Government a text drafted according to the law of the Church.

The Government received this draft. That very same evening, however, of 28 October, 1948, all six Catholic Bishops of the Byzantine Rite were arrested. Five weeks later, by Government Decree No. 358, issued on 1 December, 1948, the withdrawal of recognition from the "Uniate" Church was announced. The text of this Decree may be found in the *Eastern Churches Quarterly* for the third quarter of 1949, and the history of the martyrdom of the Rumanian Catholics of Byzantine Rite has already been told in some detail in the *Eastern Churches Quarterly* and *The Tablet*. Here we are concerned to follow the fate of the Rumanian Catholics of the Latin Rite.

In accordance with the reduction of the Latin Sees to two decreed in the "Law for the Regulation of Cults", the Latin Bishop of Satu Mare was "deposed" by the Government on 17 September, 1948, and the Metropolitan Archbishop of Bucharest, with the Bishop of Timisoara, on the following day. The Government then renewed to the remaining two Latin Bishops, those of Alba Iulia and Iassi, its request for a "Statute" for the Latin Catholic Church. Their attitude, however, could only be the same as that of their colleagues, and they could go no further than to suggest a *modus vivendi* along the lines which the Government had already rejected out of hand. As a result of the deadlock ensuing they were both struck off the Budget of the Ministry of Cults at the beginning of February, 1949, together with some 130 priests; although this made little difference because they had already declined to accept their stipends from the Government, on account of the Government's refusal to compromise over the Statute. The formality of withdrawing the stipends which they were in any case not receiving was only an example of the use of that threat of financial and material sanctions against the clergy that is being widely and diabolically used in Eastern Europe, as we have already noted in *THE CLERGY REVIEW* in the case of Czechoslovakia.¹

As a gesture of solidarity with their two remaining Bishops, all the remainder of the Catholic clergy in Rumania then agreed not

¹ See *THE CLERGY REVIEW* for April, 1950.

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CHURCH AND STATE ABROAD

to accept any salaries from the State. This was a sacrifice which many priests inevitably found it hard to make, and the Government, which had hoped for such a situation, did not fail to exploit the financial difficulties in which they soon found themselves. Emissaries of the Ministry of Cults approached a large number of them, throughout the country, and, by a judicious blend of cajolery and threats, succeeded in extracting from an appreciable number of them statements to the effect that they were out of sympathy with their Bishops in this matter and wished to accept their salaries as loyal citizens of the Rumanian People's Republic. When it became clear that an increasing number of them believed themselves to have little alternative, the Holy See, on the advice of Mgr O'Hara, the Regent of the Nunciature in Bucharest, authorized any priest to accept a salary who so wished.

Meanwhile, the two "recognized" Bishops remained as strongly inflexible in their attitude to the required "Statute" as were their brethren in the Hierarchy of Czechoslovakia in very similar circumstances. Their arrest was therefore only a matter of time. The Bishop of Alba Iulia, Mgr Aaron Marton, was arrested and imprisoned on 21 June and the Bishop of Iassi, Mgr Anton Durcovici, on 26 June, 1949. Since that date the Catholic Church in Rumania, whether of the Latin or of the Byzantine Rite, has been without any functioning Hierarchy.

After these two arrests, of the last two Catholic Bishops with effective possession of their Sees, there followed a period of relative calm. It is true that in August, 1949, fifteen religious communities were dissolved by Government Decree,¹ and that most of the religious still remaining in Rumania were subsequently dispersed. It is true also that the violent propaganda against the Holy See and the person of the Pope which characterizes the regimes of Eastern Europe continued without intermission in the Press and on the wireless. But there was a brief respite in petty persecution in the parishes, and in propaganda against the Church inside the country. The arrest and subsequent disappearance of the last two Bishops was never reported or referred to; nor was there in the newspapers any hint that the Catholic Church was in a position of extreme peril, being without the "Statute" which the Government demanded and having had the best "Statute" which the Church could offer rejected by the Government with contumely. Through the autumn and winter of 1949-50 the ordinary Latin Catholic faithful were encouraged to forget that any crisis for the Church even existed. It was an ominous calm, recognizable at the time by those who understand

¹ Decree of 1 August, 1949; *vide* Barron and Waddams, *op. cit.*, pp. 87-8.

CHURCH AND STATE ABROAD

Communist Governments for what it proved to have been, which was the prelude to a new form of attack on the Church from within.

In 1950 a new factor was introduced into the situation, not only in Rumania but everywhere else in Eastern Europe where the Catholic Church was engaged in self-defence against Communist propaganda. The "World Congress of the Partisans of Peace" met in Stockholm in March, and a "Peace Appeal" was drawn up, demanding the immediate outlawing of the atomic bomb and branding in advance as a war criminal that Government which might first make use of it. The whole campaign was organized by the Communist Party, as a means of world-wide propaganda against the Western Powers, and particularly the United States, which were presented as inhuman warmongers preparing the destruction of mankind with atomic weapons. In particular, in Rumania, as elsewhere "behind the iron curtain", the mass-collection of signatures was at once organized, those of the Catholic clergy being particularly demanded, and the whole matter being so presented as to make the refusal of a signature seem like a refusal to condemn inhumanity and war and the giving of a signature to seem like an endorsement of a propaganda which presented Pius XII as the instrument of "Anglo-American imperialism" and as working, in concert with the episcopal Hierarchies in all countries, against the interests of the lower clergy and the ordinary citizens.

In different countries the Catholic Church met this situation in slightly different ways. In Rumania the Church replied with a Pastoral Letter on the Christian conception of peace, which was drawn up, in the absence of the Bishops, by Mgr Ludwig Boga, Vicar-General of the Diocese of Alba Iulia, with the approval of the Holy See, given through Mgr O'Hara at the Bucharest Nunciature. This Pastoral Letter was distributed to all Catholic churches, and was to have been read in them by the parish clergy on Sunday, 23 April. Unfortunately, and apparently by treachery, the "People's Militia", or political police, were informed about this, and all priests were warned that any one of them who did in fact read the Pastoral Letter would be severely punished. The warning had the desired result, and it was nowhere read. However, Mgr Scheffler, Bishop of Satu Mare, one of the Bishops whose dioceses had been "abolished" by the "Law for the Regulation of Cults", but who was still administering what had been the cathedral parish at Satu Mare, preached on the appointed day a strongly-worded sermon on the Christian conception of peace, and a number of other clergy in various parts of the country did the same.

The collection of signatures for the "Stockholm Appeal" was

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pressed ahead, and signatures seem to have been obtained from at least three-quarters of the Latin clergy, although in many cases, including that of the aged Vicar-General of Bucharest, Mgr Edmund Barciovski, signatures are known to have been obtained by threats. Among others signing were the higher clergy of the Armenian Catholic Church in Rumania, which appeared to have suffered an easier fate than that of the other Uniates. It seems clear that many of the parish clergy signed when and because they saw their ecclesiastical superiors doing so; and it is important to note that there was nothing *per se* reprehensible in signing; the entire Hierarchy of Poland have done so, and the name of Cardinal Sapieha, Archbishop of Cracow, appeared on the notepaper on which the present writer received by post a request for his own signature from the organizers of the Appeal in Britain.

Much more important in Rumania than the Stockholm Appeal, and carefully to be distinguished from it, was another document soon circulating, called the Targu Mures Resolution. Although through the winter of 1949-50 the parish clergy had more or less been left in peace, the vilification of the Holy See was never interrupted, and the Ministry of Cults made strenuous and ever-increasing efforts to persuade individual priests to abjure allegiance to their legitimate Bishops, who had been rendered powerless, and to the Pope. Selected priests, as in Czechoslovakia and elsewhere, were offered bribes and promises of preferment, especially in the form of "Bishoprics" which the Government would confer.

Among those few who succumbed easily to this temptation was "Protopope", or Dean, Andrei Agotha, who, as Mgr O'Hara, now expelled from Rumania, will confirm, had long been known as an ambitious and unscrupulous individual. On 5 May the *Osservatore Romano* printed the decree of the Holy Office, dated 2 May, by which he was excommunicated and declared *vitandus*. It was he who had organized and presided over the meeting at Targu Mures on 27 April, at which the two themes of peace and schism were cunningly blended. About 120 people appear to have been present, of whom about one-third were priests and two-thirds were laymen, and, as is clear from the text of the resolution passed, and of the "appeal" to the Catholic clergy and faithful that was also issued, both of which we print at the end of this narrative, the work of the meeting was to proclaim support for the Stockholm Appeal, to press for the acceptance by the Catholic Church of a "Statute" that would submit the Church wholly to the jurisdiction of the State, and to organize in Rumania, as had already for some time been in existence in Czechoslovakia, a bogus "Catholic Action Committee", which, using the

CHURCH AND STATE ABROAD

name of Catholic Action with supreme insolence, would seek to advance the purposes of the regime among the Catholic clergy and faithful.

Although many priests had undoubtedly signed the Stockholm Appeal, it is equally certain that only a small proportion gave their support to the Targu Mures Resolution. The Government, however, as was plain from its Press, set itself deliberately to confuse the two documents, and to try to make signatures for the former evidence of support for the latter. The Press announced that, when signing the former, priests had declared their agreement with the latter; although the Vicar-General of Bucharest, for example, signing the former under duress, as we have already noted, explicitly refused his support for the latter. It is important that it shall not too glibly be said, as is sometimes said, that the Latin clergy in Rumania have behaved more weakly than those in other east European countries, or than their brethren in Rumania of the Byzantine Rite. In Satu Mare, for instance, their resistance has been particularly strong. Mgr Scheffler, whose sermon about the Stockholm Appeal we have noted above, gave an admirable lead, until, on 24 May, 1950, he was removed from Satu Mare to a small and isolated monastery, to be kept there as a virtual prisoner. Another outstanding lead was given by Mgr Glaser, Vicar-General of Iassi, who died in May, 1950.¹ By the beginning of June, 1950, the only Catholic Bishop still more or less at liberty,² although deprived of his See, was the eighty-year-old Bishop of Timisoara, Mgr Pacha, who on Sunday, 4 June, caused to be read in his cathedral a Pastoral Letter in which he reviewed the whole struggle of the Catholic Church against the Communists in his country during the past three years; he had hoped that it might be read throughout the country, and had intended to read it personally in his own cathedral, but he had a serious heart attack on the previous day and one of his clergy read it for him. It caused a considerable stir.

On 24 May a delegation of Agotha's "Catholic Action Committee" was received by the Minister for Cults, and proposals were advanced for the "settlement" of outstanding questions affecting the Catholic Church, in order to "facilitate" the task of the Church "in the service of peace", pending a "Statute" which would make possible a final settlement of her position within the framework of

¹ Mgr Glaser was a titular Bishop, and formerly Bishop of Chisinau, in Bessarabia, now Soviet territory. His death was said to be directly attributable to bullying by officials of the Ministry of Cults who were trying to make him sign the Stockholm Appeal; see *The Tablet* of 22 July, 1950.

² Following the removal of the dispossessed Metropolitan Archbishop of Bucharest, Mgr Cisar, to an isolated monastery where he is now a virtual prisoner; see *The Tablet* of 22 July, 1950.

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Rumanian Law. The "Statute" has already been produced. It is only too easy to see what lies ahead. The Catholics of the Byzantine Rite were declared nearly two years ago, by the stroke of a Government pen, to have fallen into schism; the Latin Catholics, deprived of their Hierarchy, are to be legally declared to be in schism under the leadership of Agatha. A "settlement" between the Government and what the Holy Office describes as a "schismatic sect", with the promulgation of a "Statute", followed speedily on the expulsion of Mgr O'Hara in July, 1950.¹ This will be followed, we may be certain, by the convocation by Agatha's "Catholic Action Committee" of a "National Catholic Congress" to which will be invited all those priests who subscribed to the Targu Mures resolution, and probably also those who signed, or who are claimed to have signed, the Stockholm Appeal. These will be said to have approved "unanimously" the establishment of a "National" or Rumanian Catholic Church; and the Catholic Church will be described as having lost the support of the Catholic clergy and faithful and as being an instrument of the imperialist warmongers, and will be declared illegal under Article 13 of the "Law for the Regulation of Cults".

Text from the Bucharest "Scanteia" of 29 April, 1950.

RESOLUTION OF CONFERENCE OF ROMAN CATHOLIC PRIESTS AND FAITHFUL HELD AT TARGU MURES ON 27 APRIL, 1950

WE, Roman Catholic Priests and laity, met at a peace conference at Targu Mures on 27 April, 1950, representing peace-loving Roman Catholic priests and laity in our Fatherland, the Rumanian People's Republic, full of love for and a sense of responsibility towards our Church and of fidelity towards our Fatherland, the Rumanian People's Republic, hereby declare that the peace-loving Roman Catholic priests and laity in the Rumanian People's Republic, denounce any attitude which would make use of the Church for warmongering purposes, and also any persons who would try to place the religious feeling of our faithful in the service of ends hostile to the people and the State.

"The Constitution of our People's Republic guarantees liberty of conscience and of religion, and ensures equal rights to all recognized sects in the country, and we believe that we are doing our duty towards our Church and our Fatherland by desiring a cessation of the unsatisfactory relations which exist between our Church and the Government of our Fatherland, the Rumanian People's Republic. Any persons who would impede the inclusion of our Church within the legal framework is working against the laws of our Church.

"We believe that this inclusion would not in any way prejudice the free functioning of our Church, nor the fidelity of Catholic priests and laity to the Church, just as it has not prejudiced the other Churches, all of which have come within the legal framework of our People's Republic.

"In the true spirit of the teachings of Christ, we emphasize that we, Catholic priests and faithful, cherish an obligatory devotion and fidelity towards our

¹ See *The Tablet* of 29 July, 1950.

CHURCH AND STATE ABROAD

superior Church authorities, but at the same time we are faithful sons of our dear Fatherland, the Rumanian People's Republic, and we wish to play our part fully in the constructive work of our working people along the road of social justice and peace."

APPEAL ADDRESSED TO ROMAN CATHOLIC PRIESTS AND FAITHFUL BY THE CONFERENCE AT TARGU MURES ON 27 APRIL, 1950

"We, Roman Catholic priests and laity, met at a Peace Conference at Targu Mures on 27 April, 1950, representing peace-loving Roman Catholic priests and laity in our Fatherland, the Rumanian People's Republic, following the teaching of our Lord Jesus Christ, declare that our consciences and those of hundreds of millions of peace-loving people are awakened, and strongly protest against that most horrible villainy: the use of atomic weapons for the mass destruction of millions of people.

"For each priest and honest faithful must echo today the powerful words of our Lord Jesus Christ, *Pax vobiscum*, 'Peace be unto you', which are a command to us to denounce those who are preparing another destructive war against peaceful humanity.

"With heart and soul we adhere to the Appeal of the Stockholm meeting of the Standing Committee of the World Congress of the Partisans of Peace, and we openly state that we protest strongly against all attempts to provoke once again the horrors of war. We denounce the warmongers and those in their service. Only peace can ensure the constructive work of millions of simple people, raise their economic and cultural level, and bring happiness to their homes. In the interests of the defence of the cause of peace, we invite all well-meaning and peace-loving priests and faithful to sign the Appeal of the Standing Committee of the World Congress of the Partisans of Peace, protesting against the use of atomic weapons and demanding that that Government which is the first to have recourse to this terrible weapon of destruction shall be declared a war criminal.

"Following the teachings of Christ and our religious convictions, let us take our stand for peace; let us be her courageous and vigilant defenders."

There followed a list of names, of whom only forty were those of priests, the remainder, seventy-one, being those of members of the laity. The communiqué continued:

"Following the conference of the 120 (*sic*) representatives of the Roman Catholic clergy and laity on Thursday at Targu Mures, the Catholic Action Committee, consisting of Protopope Andrei Agotha (Lilec NuraJului, county Mures), Torok Ladislau, parish priest (Zalau, county of Salai), Dr Iacob Hodor, parish priest (Tietura, county of Odorhei), Dr Ioan Kopecki (Alud), Tiberiu Juhasz-Bruckner, parish priest (Oravitza, county of Caras), Dr Ioan Nikes, Member of Parliament and University Professor, and Ioan Kastaly, member of Church Council (Gheorghieni, county of Ciuc), yesterday at midday presented to the Standing Committee for the defence of Peace in the Rumanian People's Republic the Appeal to Catholic priests and laity to align themselves with the Appeal of the Standing Committee of the World Congress of the Partisans of Peace.

"Members of the Standing Committee for the Defence of Peace were present.

"Protopope Andrei Agotha pointed out that the democratic Catholic priests, by expressing the desire for peace of the Catholic clergy and laity in our country, had at the Targu Mures conference adhered to the Appeal for the unconditional banning of atomic weapons as a means of aggression and of the mass annihilation of mankind, and for the declaration as a war criminal of that Government which is the first to make use of atomic weapons against any country.

"After the Appeal to Catholic priests and laity had been read, Professor P. Constantinescu (Iassi) spoke. He stated that the participation of the Catholic clergy and laity in the struggle for peace was a further proof that this fight interested very many people, irrespective of their religious beliefs or political convictions."

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